Placer County Conservation Program
User's Guide

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Abbreviations

APN	assessor's parcel number
ASFRMA	The American Society of Farm Managers and Rural Appraisers
BMP	best management practice
BWG	Biological Stakeholder Working Group
CARP	Western Placer County Aquatic Resources Program
CDFW	California Department of Fish and Wildlife
CDRA	Community Development Resource Agency
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
City	City of Lincoln
CNDDB	California Natural Diversity Database
County	Placer County
CRCM	Cultural Resource Compliance Manager
CRMP	Cultural Resources Management Plan
C.Y.	cubic yard
CWA	federal Clean Water Act
DRC	Development Review Committee
ERC	Environmental Review Committee
ESA	federal Endangered Species Act (16 U.S.C. § 1531 et seq.)
FEMA	Federal Emergency Management Agency
GIS	geographic information system
HCP	Habitat Conservation Plan (federal)
HUC	hydrologic unit code
ILF	In-Lieu Fee Program
IWM	Instream Woody Material
LID	Low Impact Development
LiDAR	light detection and ranging
LOP	Letter of Permission
NCCP	Natural Community Conservation Plan (state)
NCCP Act	Natural Community Conservation Planning Act
NEPA	National Environmental Policy Act
NHD	National Hydrography Dataset

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NMFS	National Marine Fisheries Service
NOI	Notice of Intent
OHWM	ordinary high-water mark
O&M	operations and maintenance
PCA	Placer Conservation Authority
PCCP	Placer County Conservation Program
PCWA	Placer County Water Agency
PFG	Potential Future Growth Area
PG&E	Pacific Gas and Electric
PGP	Programmatic General Permit
PRC	Public Resources Code
PSE	Participating Special Entity
RAA	Reserve Acquisition Area
RWQCB	Regional Water Quality Control Board
SPRTA	South Placer Regional Transportation Authority
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VPC	vernal pool complex
WDR	Waste Discharge Requirement
WOUS	Waters of the United States

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Chapter 1
Introduction and Overview

1.1 Purpose of User's Guide

The purpose of this document is to provide guidance for users of the Placer County Conservation Program (PCCP) involved in preparing, processing, approving, and tracking project applications, with a focus on projects in unincorporated Placer County. The guide provides instructions for project proponents to fill out applications for coverage under the PCCP and for members of the County's Development Review Committee (DRC) to process and track those applications. The User's Guide also provides guidance for the County and other Permittees to evaluate and prepare appropriate documentation for their own projects under the PCCP.

1.2 How to Use this Guide

This guide provides the following reference information.

- **Chapter 1: Introduction and Overview**
  This chapter provides a general overview of the Western Placer Habitat Conservation Plan (HCP)/Natural Community Conservation Plan (NCCP) and describes the roles and responsibilities of participating entities.
- **Chapter 2: Processing Evaluations and Applications**
  This chapter describes the process for screening, evaluating, and processing projects conducted under the HCP/NCCP and the Western Placer County Aquatic Resources Program (CARP), including integration with the Accela Automation permit tracking system and determining and processing County and third-party-applicant projects. Chapter 2 also describes the step-by-step process of PCCP authorization for third-party applicants.
- **Chapter 3: PCCP Authorization Application**
  This chapter provides a step-by-step guide for what to include in the PCCP Authorization Application for third-party project proponents.
- **Chapter 4: CARP Review**
  This chapter describes the review process for PCCP authorization when projects affect aquatic resources.
- **Chapter 5: Determining Area of Effect**
  This chapter provides guidance on how to determine the area of effect for all communities and habitat types that need to be identified and quantified in the PCCP Authorization Application.
- **Chapter 6: Applying Fees**
  This chapter describes how fees will be applied to third-party project applicants, including project applications from Participating Special Entities (PSEs).

- **Chapter 7: Conditions on Covered Activities**
  This chapter is a guide to implementing Western Placer HCP/NCCP and CARP conditions (avoidance and minimization measures) on Covered Activities, both during the application process and after a PCCP Certificate of Authorization has been issued. A checklist of Master Conditions on Covered Activities is provided as Appendix E (appendix under development).

1.3 Placer County Conservation Program

The PCCP applies to unincorporated western Placer County and the City of Lincoln and specific areas where certain Covered Activities (including some conservation activities) will take place in neighboring Sutter County, in non-participating cities, and in other areas, as shown in Figure 1-1, *Regional Location of the HCP/NCCP Plan Area*. The goal of the PCCP is to provide an effective framework to protect, enhance, and restore natural resources in specific areas of western Placer County and portions of Sutter County, while streamlining environmental permitting for Covered Activities. Within this framework, the PCCP will achieve conservation goals, comply with state and federal environmental regulations, accommodate anticipated urban and rural growth, and permit the construction and maintenance of infrastructure needed to serve the county's population, employers, and businesses.

The PCCP includes three separate but complementary components that support two sets of state and federal permits:

- **Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan** (referred to as the HCP/NCCP or "Plan"). The Plan is a joint HCP and NCCP that will protect fish and wildlife and their habitats and fulfill the requirements of the federal Endangered Species Act (ESA) and the California Natural Community and Conservation Planning Act (NCCP Act).
- **Western Placer County Aquatic Resources Program** (CARP). The CARP will protect streams, wetlands, and other water resources and fulfill the requirements of the federal Clean Water Act (CWA) and analogous state laws and regulations.
- **In-Lieu Fee Program** (ILF) is a program through which compensatory mitigation requirements under Section 404 of the CWA can be fulfilled by payment of a fee. The ILF will provide wetland mitigation "credits" that can be used to fulfill Section 404 compensatory mitigation requirements for impacts on aquatic resources for all projects and activities that are covered under the HCP/NCCP and the CARP.

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What is the Western Placer County HCP/NCCP?

The HCP/NCCP describes how to avoid, minimize, and mitigate effects on Covered Species (Figure 1-2), many of which are listed under the ESA as threatened or endangered. Thus, the HCP/NCCP addresses permitting requirements relevant to these species for activities conducted in the Plan Area by the Permittees. These Covered Activities include urban growth and a variety of road, water, and other needed infrastructure construction and maintenance activities. The Plan also describes the responsibilities associated with operating and maintaining the new habitat reserves that will be created to mitigate anticipated effects from growth and development activities.

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Figure 1-1. Regional Location of the HCP/NCCP Plan Area

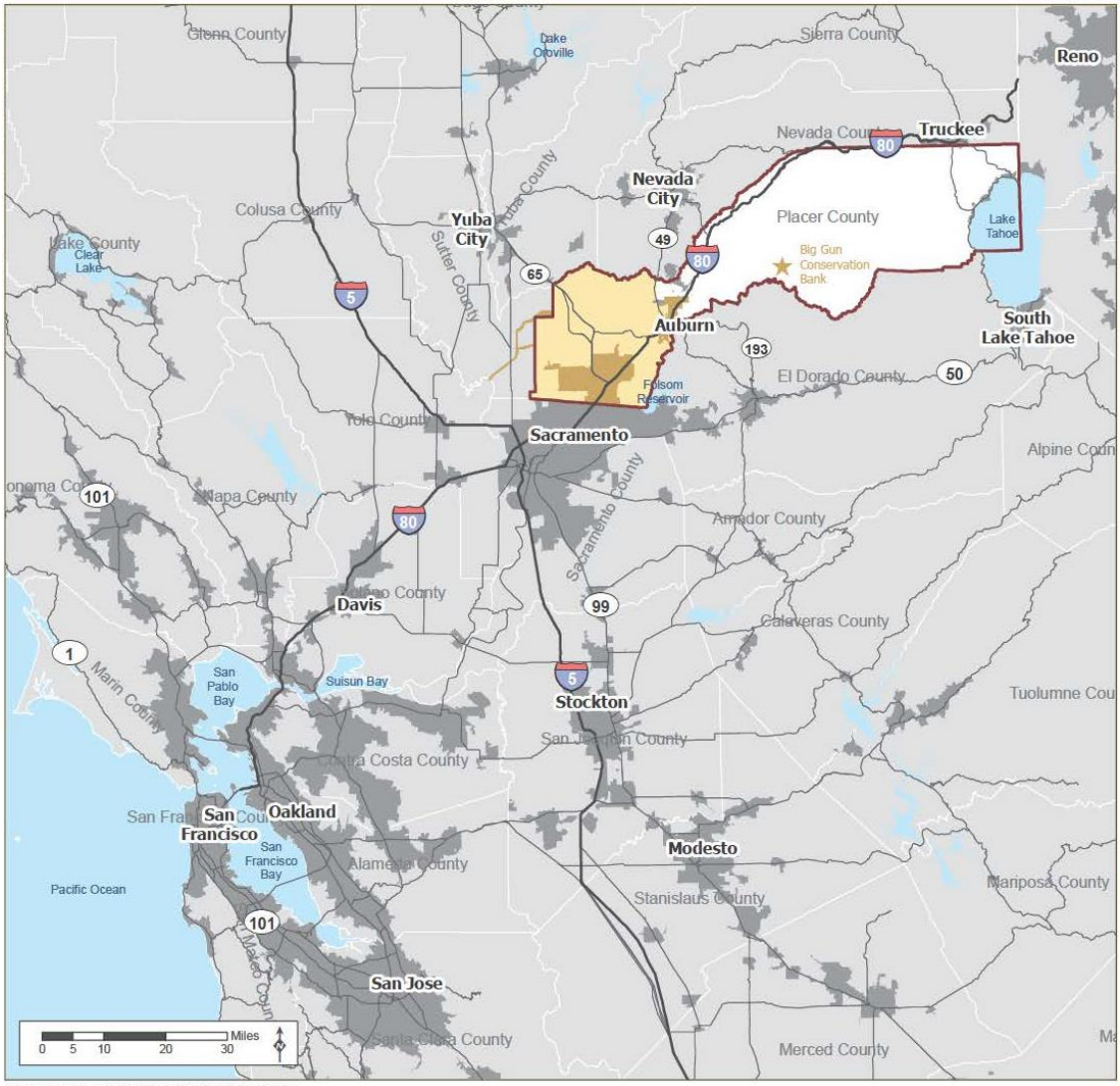

Figure 1-2. HCP/NCCP Covered Species

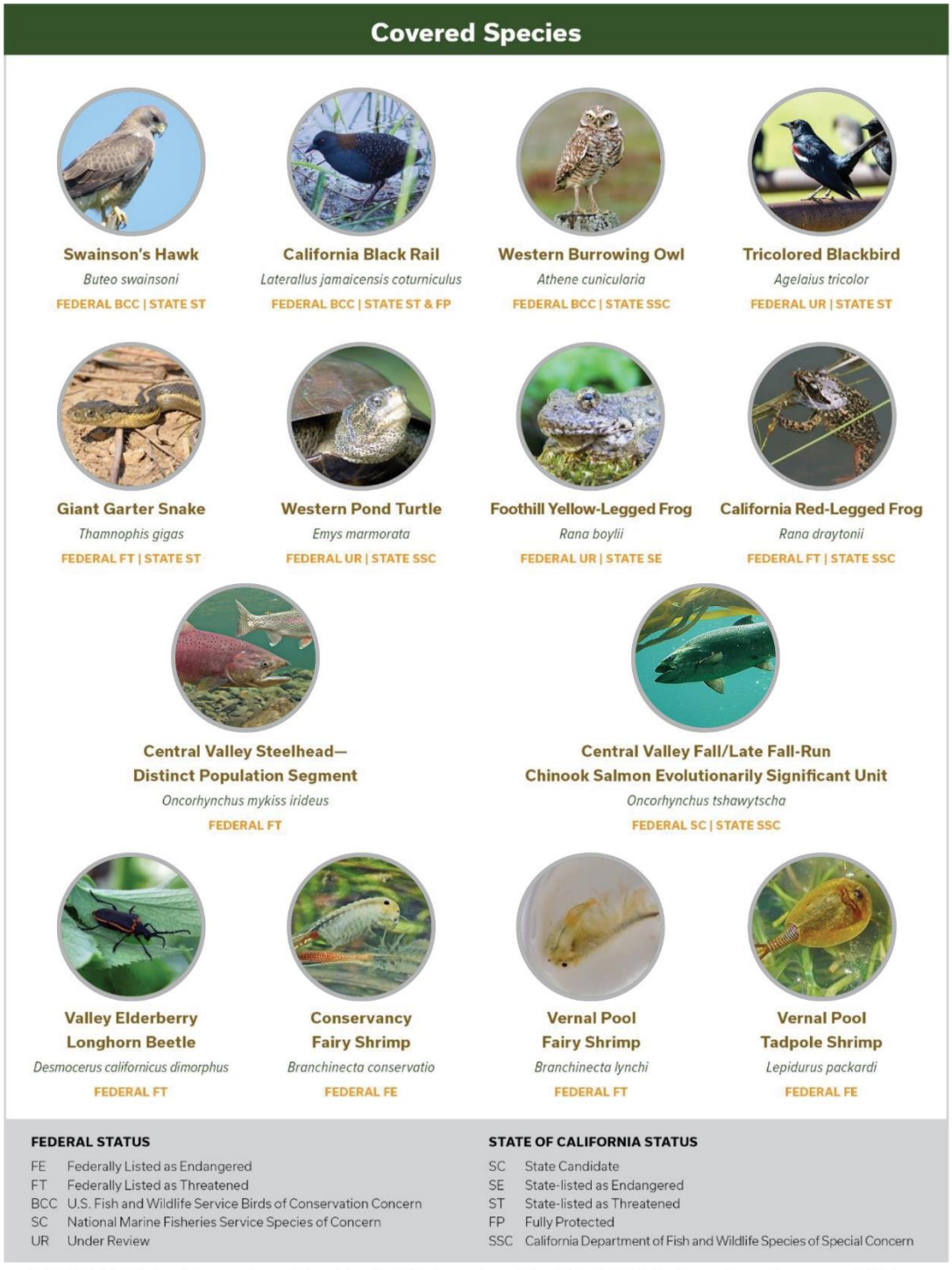

PHOTO CREDITS (left to right, top to bottom): Dennis Cavallo, Phil Robertson, Doug Wirtz, WRA, USFWS/Brian Hansen, Oregon Department of Fish & Wildlife, Bree McGhee, Placer Land Trust, Larson, NOAA, USFWS/Brian Hansen, Doug Wirtz, USFWS/Josh Hull, Doug Wirtz

Who Developed the HCP/NCCP?

Four local agencies prepared the HCP/NCCP, and the Placer Conservation Authority (PCA) was created to implement the HCP/NCCP and the CARP on behalf of the other Permittees.

HCP/NCCP Developers

Placer County

City of Lincoln

South Placer Regional Transportation Authority

Placer County Water Agency

In developing the HCP/NCCP, the Permittees worked with the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS) and the California Department of Fish and Wildlife (CDFW)—the three agencies responsible for applicable state and federal laws pertaining to endangered species (USFWS, NMFS, and CDFW are collectively referred to as the *Wildlife Agencies*).

Public involvement was also an integral part of the process of developing the Plan. Numerous stakeholder organizations participated in a group known as the Biological Stakeholder Working Group (BWG). The BWG was formed at the onset of plan preparation and provided key comments and recommendations throughout the Plan development process. The general public was actively involved and had the opportunity to provide input and influence on the development of the Plan through numerous public meetings and hearings. In addition, a website was created that provided information on all public meetings and HCP/NCCP documents while also providing opportunities for comments and feedback (PlacerConservation.com).

What is the CARP?

The CARP is a component of the PCCP that identifies, classifies, and protects Aquatic Resources of Placer County (or simply aquatic resources) within the Plan Area by providing a programmatic framework for Covered Activities to obtain an authorization to affect aquatic resources within the Plan Area. The CARP classifies the various aquatic resources within the Plan Area that are under U.S. Army Corps of Engineers (USACE, 404 permit), Regional Water Quality Control Board (RWQCB, 401 certification), and California Department of Fish and Wildlife (CDFW, 1602 agreement) authorities. The County has a PCCP implementation ordinance (Chapter 19, Article 19.10) that implements this program.

Aquatic Resources of Placer County

Aquatic Resources of Placer County include Waters of the U.S.; Waters of the State; Stream Systems, and constituent habitats for Aquatic/Wetland Complex, Vernal Pool Complex and Riverine/Riparian Complex within the Stream System.

The CARP requires avoidance, minimization, and mitigation measures for work in "aquatic resources of Placer County". The CARP provides authorizations for discharges of fill material; alterations to the bed, bank, shoreline, or channel of streams, lakes, and ponds; and removal of riparian and wetland vegetation. The CARP ensures that projects avoid, minimize, and mitigate impacts on aquatic resources at a landscape level by establishing buffers around aquatic resources and identifying important areas for protection and inclusion in the PCCP Reserve

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System. CARP requirements complement the HCP/NCCP conservation strategy and supplement HCP/NCCP requirements for aquatic resources.

1.4 Roles and Responsibilities

The Western Placer HCP/NCCP is a partnership between the member agencies (Placer County and the City of Lincoln each have their own User's Guide), the PCA, and the Wildlife Agencies. Each organization has specific roles and responsibilities.

Placer County/County Project Lead

Placer County was issued a take permit for Covered Species under the HCP/NCCP, along with other Permittees, as described in Section 1.2. For projects in unincorporated Placer County, and implemented by the County, the County will be responsible for ensuring that the project complies with the permit requirements of the HCP/NCCP.

The permits allow the County to extend take coverage to projects proposed by third parties (e.g., private sector land-development entitlements), provided that the projects are Covered Activities, are subject to the County's land use authority, and are in compliance with the requirements of the HCP/NCCP. To receive take authorization under the state and federal permits, third-party project proponents must apply to the Community Development Resources Agency (CDRA) for take authorization following the process described in Chapter 2 of the HCP/NCCP document. The County and the City review application materials submitted under their jurisdictions and determine whether take authorization can be extended.

This user's guide refers to a *County Project Lead* for any representative within a County organization who is processing an application for a project that is a covered activity. This term may apply to non-planners at the Department of Public Works, Facilities Management or Engineering and Surveying Division staff who may have a lead role, or CDRA counter technicians.

For projects within the Plan Area that are not subject to the land use authority of the County or the City, the project proponent must apply to the PCA as a PSE (see Section 2.5, *Participating Special Entities*) to receive take authorization under the permits.

Placer Conservation Authority

The PCA helps administer the use and extension of take authorization on behalf of the Permittees through tools such as draft checklists, template planning survey reports, and fee calculators. The PCA provides advice, upon request, to the County regarding their review of PCCP application materials and promotes coordination among the Permittees to ensure that conditions on Covered Activities are implemented and enforced consistently and effectively.

In addition, the PCA has the following specific responsibilities and authorities related to the Permittees' take authorization and the extension of take authorization to project proponents:

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- Reviews applications from PSEs (HCP/NCCP Section 8.9.4, *Take Authorization for Participating Special Entities*) and authorizes take as appropriate.
- Reviews proposals for land in lieu of fees and for restoration or creation of jurisdictional wetlands or riparian habitat in lieu of wetland/riparian fees. The Permittees will refer any such proposals to the PCA for review, approval, and calculation of the required fees. The PCA reviews proposals on a case-by-case basis. If the PCA approves the proposal, the terms of the land offer, habitat restoration/creation, and any remaining fees will be forwarded to the appropriate Permittee for incorporation into the project conditions of approval.
- Verifies that proposals to defer fee payment through ongoing assessments (e.g., use of a community facilities district) or other mechanisms conform to Plan requirements. The PCA must approve these proposals prior to adoption by the County or the City.
- Determines fees to be paid PSEs.
- Approves fee waivers when dedications of land within the Stream System are offered. The PCA must approve these proposals prior to adoption by the local jurisdiction.
- Suspends the option for early payment of fees and authorization of take under certain circumstances. The PCA will notify all Permittees of any such suspension.
- Recalculates the fees annually and provides the new fees to the Permittees. The PCA will notify each Permittee of the new fees.

Program Biologist

The Program Biologist, working on behalf of the PCA, is responsible for the following:

- Overseeing all wetland and biological regulatory and conservation activities of the HCP/NCCP and CARP;
- Conducting site assessments to evaluate the extent of aquatic resources that are present; and
- Determining if habitat for Covered Species will be affected by the proposed project.

If an aquatic resource delineation and/or biological resources assessment have been conducted, the Program Biologist will assess these documents for accuracy and completeness.

Wildlife Agencies

The Wildlife Agencies are responsible for providing guidance to the PCA and other Permittees about the requirements of the state and federal permits. The Wildlife Agencies help monitor HCP/NCCP compliance and notify the PCA as soon as possible of any concerns regarding HCP/NCCP implementation.

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Chapter 2
Processing Evaluations and Applications

2.1 Overview

The Permittees have developed a process to ensure project proponents can easily incorporate PCCP requirements into the existing approval process for land development, as described in this chapter. This User's Guide focuses on projects carried out by the County (Section 2.4, *County Projects*) or third-party applicants applying to the County for PCCP coverage (Section 2.5, *Third-Party Applicants*).

2.2 Accela Integration

Accela Automation (Accela) will be the primary tracking tool used by the County and the PCA. Accela will be used to monitor and track PCCP requirements and annual reporting requirements. Accela will also be the primary tool to identify project location and assist in determining if the project is within the PCCP Plan Area. In particular, Accela will be used to accomplish the following:

- Monitor PCCP review process through automated workflow
- Communicate and monitor conditions
- Document project environmental impacts
- Document and collect fees
- Document existing habitats and potential species occurrences
- Generate reports annual or semi-annual basis documenting cumulative impacts and fees

A permit record will be created in Accela for every significant project within the PCCP Plan Area. Accela will be used to track whether the project is a covered activity. (See section 2.3 for a description of projects included/excluded from PCCP requirements).

Appendix A describes workflow processes and requirements for project tracking.

2.3 Determining whether Project is a PCCP Covered Activity

Projects are subject to coverage under the HCP/NCCP if they are in the HCP/NCCP Plan Area, are conducted by the County or are under the jurisdiction of the County (e.g., subject to discretionary or ministerial approvals), and are not explicitly excluded from coverage under the

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HCP/NCCP. A project may also be covered under the HCP/NCCP, at the PCA's discretion, as a PSE if a project proponent is not subject to County jurisdiction but "opts in" to the HCP/NCCP upon the PCA's approval (see Section 2.5, *Participating Special Entities*). If a project is subject to coverage under the HCP/NCCP and would affect Aquatic Resources of Placer County, the project is also subject to the CARP.

Activities Explicitly Excluded from HCP/NCCP Coverage

The following activities are explicitly excluded from coverage under the HCP/NCCP (and hence, also the CARP) and would be required to obtain take coverage from the wildlife agencies if such activities result in take of threatened or endangered species:

Non-participating Cities. Any ground-disturbing activities within the jurisdictions of Auburn, Loomis, Rocklin, and Roseville that are not specifically undertaken by the Permittees is not covered.[1]

Pesticide/Herbicide/Rodenticide Application for the Federal Permits. Pesticide, herbicide, and rodenticide uses are not covered under the HCP/NCCP.

Routine and Ongoing Agricultural Activities. Routine agricultural activities are defined broadly as activities that occur in the normal course of existing farming or ranching operations, including crop planting, crop harvesting, livestock management, and pesticide application. These activities are not covered by the HCP/NCCP. Routine and ongoing agricultural activities that do not go through a County permitting process (e.g., a grading and/or building permit) would not be subject to local approval and therefore cannot be covered by the HCP/NCCP. New intensive agricultural activities such as cut-flower nurseries, Christmas tree farms, ornamental plant nurseries, dairies, and feedlots are not covered by the HCP/NCCP unless these activities receive permits from the County.

Expansion of Cultivated Agriculture into Natural Lands. The expansion of cultivated agriculture into natural lands is not covered by the HCP/NCCP unless it is associated with an approved rural development project that is covered by the HCP/NCCP (e.g., the expansion requires a grading permit). This category typically applies to new large-scale agricultural operations such as row crops, vineyards, orchards, disking for winter grains, or pastures. If such agricultural projects do not require grading permits, they would typically not require local approvals by the Permittees and therefore cannot be covered by the HCP/NCCP.

Timber Harvest Operations. Most timber harvesting occurs within the Sierra east of the Plan Area and is rare in western Placer County. Timber Harvest Plans are regulated through state and federal agencies and are not included as a covered activity.

Quarries and Other Mining. The mining of sand or other aggregate material, or the mining of precious metals or other minerals, is not covered by the HCP/NCCP.

Municipal Power Generation. Pacific Gas and Electric (PG&E), Placer County Water Agency (PCWA) power generation on behalf of the Middle Fork Project Finance Authority, Roseville Electric, Northern California Power Agency (generating power for multiple agencies), and

[1] The potential exception to this is the City of Roseville's annexation area (see Figure 8-3 *Potential Roseville Annexation Area*) as described in Section 8.9.4.2, *Potential Roseville Annexation Area*.

Sacramento Municipal Utility District activities for power generation and transmission, including municipal wind and large-scale solar[2], are not covered by the HCP/NCCP.

Present Projects with their Own ESA and California Endangered Species Act (CESA) Permits. Several development or infrastructure projects in the Plan Area in development during the preparation of the PCCP have obtained their own permits under the ESA and CESA, as applicable. These projects will be bound by the terms of their separate permits and not by the PCCP and will obtain incidental take coverage from those permits and not from the PCCP.[3]

Land Use Intensification in the Valley or Foothills Conservation and Rural Development Components of Plan Area A. The County General Plan, specific plans, and implementing zoning may be changed over the course of the Plan's permit term to allow changes in allowed land use type so long as the land use remains rural or agricultural or is compatible with rural or agricultural general plan designations, land use intensity is not increased, and residential density is not increased. Activities that do not meet these criteria are not prohibited by the HCP/NCCP but are not specifically covered by the Plan. Applicants who seek entitlements in Valley Conservation and Rural Development (A2) or Foothills Conservation and Rural Development (A4) that are inconsistent with the criteria must apply for take authorization outside of the coverage provided by the PCCP.

Any Private Development that Otherwise Complies with CESA or ESA. The PCA can determine that a proponent of a project under the jurisdiction of the County will not be required to comply with the conditions in Chapter 6 of the HCP/NCCP, or pay any fees if the proponent of the activity provides written confirmation to the PCA that CDFW and USFWS (and/or the National Marine Fisheries Service [NMFS]) have determined that the activity is not subject to the CESA and ESA, has already received the necessary take authorizations under the CESA and ESA, or has otherwise complied with the CESA and ESA. Under these circumstances, an activity will be deemed in compliance with the CESA and ESA by the PCA and thus be exempt from fees as well as conditions (see Chapter 6 of the HCP/NCCP for conditions on Covered Activities) if the proponent provides the following:

- A letter(s) from USFWS, NMFS, and CDFW that specifically refers to the activity and states that the activity is not likely to result in take of any federally or state-listed species individually or cumulatively, will not preclude successful implementation of the conservation strategy for all Covered Species, and the results for full protocol surveys, approved by CDFW, for state-listed species with the potential to occur on the site showing that no such species or species habitat occurs on the site; or
- A copy of an incidental take permit issued by CDFW for the activity and copies of incidental take statements or incidental take permits issued by USFWS and/or the NMFS that authorize the proposed Covered Activity; or
- A combination of the letters as described in (1) above and/or incidental take authorizations described in (2) from all Wildlife Agencies with jurisdiction.

[2] Some solar power generation may be covered if ancillary to a Covered Activity associated with public facilities/services, residential, commercial, industrial, and other associated development in the PFG.

[3] Note that Placer Vineyards Specific Plan will be covered under the HCP/NCCP as described in Section 8.9.5.

Minor Activities. Certain minor projects and activities are not subject to Plan requirements and are not covered by the PCCP or the permits because they are not expected to have adverse effects on Covered Species.[4]

Third Party Applicant Activities that do Not Require a Permit from the County or Require Permits that are Exempt from HCP/NCCP Coverage. For purposes of this section, permits that are exempt from HCP/NCCP coverage include ministerial permits for activities that will cause less than 500 square feet of ground disturbance; setback verification permits; sign permits; plumbing/mechanical/electrical building permits; private/public well permits; septic system permits; underground storage tank permits; tree permits; administrative approvals of antennas; temporary outdoor event permits where no ground disturbance occurs; permits for building remodel additions under 500 square feet.; or permits for design review remodels under 500 square feet.

Activities on Existing Non-natural Lands. Activities entirely within managed water or urban land cover types. Managed water includes conveyance systems such a concrete-lined canals and canals with bare earthen perimeters that are maintained free of vegetation. Managed water also includes reservoirs and urban open water (e.g., golf course ponds, wastewater treatment ponds and ponds serving as landscape amenities). Urban land cover types include existing urban/suburban development (i.e., residential densities greater than 1 dwelling unit/acre and intensively developed non-residential uses), urban parks and golf courses, wetland and riparian areas surrounded urban/suburban development, woodland habitat patches that are surrounded by urban/suburban development, barren/industrial lands, and roads. Urban communities such as urban woodland, urban wetland, and urban riparian that contain special habitats, regulated resources, and/or covered species may opt into the program for coverage.

Activities on Existing Small Parcels. Private activities on existing small parcels equal to or less than 20,000 square feet existing at the time of Plan adoption.

Small Additions to Improved Properties. Private development improvements of less than 5,000 square feet of new impervious surface to existing improved sites, regardless of parcel size. Includes new structural improvements and installation of roads, sidewalks, hardscape, and other impervious surfaces.

Stream System Grading Permits

Consistent with the County Grading, Erosion and Sediment Control Ordinance (Grading Ordinance), a grading permit is required for grading activities if they involve over 250 cubic yards, or as otherwise required by Placer County Code. The CARP includes an additional requirement for a Stream System Grading Permit for any grading activity over 25 cubic yards within the Stream System, therefore these activities are also subject to coverage under the HCP/NCCP. For a description of the Stream System, see Section 5.6, *Stream System.*

A Stream System Grading Permit will serve as the County's land conversion authorization for the discharge of fill and/or the excavation of soil in excess of 25 cubic yards in a single area within a

[4] These activities must still comply with CESA, FESA, FGC 1600 et seq and other local, state and federal laws and permitting requirements.)

two-year period on property located in the Stream System. In calculating the graded material quantity, excavation material used as fill material is not counted twice. (For example: twenty-five (25) cubic yards [C.Y.] of excavation material that is also placed as fill material would be calculated as twenty-five (25) cubic yards, not as 25 C.Y. + 25 C.Y. = 50 C.Y.)

For a project to receive a Stream System Grading Permit, it must comply with the relevant HCP/NCCP conditions described in Chapter 7 of this User's Guide and the CARP avoidance, minimization, and mitigation requirements provided in Appendix B. A PCCP Certificate of Authorization, including relevant conditions of approval, must be appended to the Stream System Grading Permit. A PCCP Certificate of Authorization must therefore be obtained before a Stream System Grading Permit is issued.

The standard plan check and inspection procedures would apply to Stream System Grading Permits. These procedures may be modified to reflect the limited level of effect associated with these applications.

2.4 County Projects

The HCP/NCCP incidental take permits provide the County, as a Permittee, with take authorization for projects that are Covered Activities and comply with the terms of the HCP/NCCP. If the County undertakes a Covered Activity they must, in consultation with the PCA, document consistency with the HCP/NCCP and provide a copy of this documentation to the PCA before the County's take authorization may be exercised. The documentation allows the PCA to track the amount of take coverage granted, to record the fee amount, and schedule when fees will be paid.

2.5 Third-Party Applicants

This section provides guidance for County Project Leads reviewing third-party application materials and for project proponents who want to understand the application process.

Private applicants subject to coverage under the HCP/NCCP (see Section 2.2., *Determining whether Project is a PCCP Covered Activity*) apply to the County by submitting a PCCP authorization application, as described in this user's guide, Chapter 3, *PCCP Authorization Application*. The PCCP application process is similar to current County project application procedures but includes information specifically required by the PCCP.

The third-party project applicant is responsible for preparing the PCCP application and paying for any necessary field surveys, technical reports, and biological resource mapping. The County

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Project Lead is responsible for reviewing the application and ensuring that it is complete and consistent with the PCCP and County Code requirements.

All third-party applicant projects require other discretionary or ministerial approvals from the County (e.g., Specific Plans, Tentative Maps, Conditional Use Permits, Minor Use Permits, Design/Site Review Agreements, Improvement Plans, Grading Permits, Variances, Building Permits). There are no standalone PCCP permits issued by the County to an applicant. All PCCP authorizations are appended to an applicant's ministerial or discretionary approval (referred to as a Land Use Authorization). The PCCP application process is folded into the application process for other County permits, as described below, to streamline the process and avoid redundancy.

Pre-Development Meeting

Applicants for projects that require environmental review frequently attend a pre-development meeting early in their development project planning process. At the pre-development meeting, the Environmental Review Committee (ERC) informs the applicant about technical studies and information required during the application process for environmental review, entitlements, and for the PCCP application process. The applicant submits a Pre-Development Meeting Request Form, which includes information on the location and type of project. Based on the information provided, the Project Lead determines whether the project requires and is eligible for coverage under the PCCP (Section 2.2) and, if so, provides guidance on preparation of the authorization application as described in Chapter 3, *PCCP Authorization Application*.

If the project requires and is eligible for coverage under the PCCP, the Project Lead introduces the project proponent to the application process, ensures the project proponent has access to the necessary forms and instructions, and gathers initial project information. The Project Lead should help the applicant identify survey requirements and encourage the applicant to schedule surveys early in the planning process to avoid future project delays. Some project proponents may already be familiar with the application process and wish to complete or partially complete the application prior to the pre-development meeting, in which case the Project Lead can review the application materials and notify the applicant as to whether additional material is needed.

Application

The project proponent must complete the application with all the required information as described in the Form Submittal Instructions of the application form and with Chapter 3 of this document, *PCCP Authorization Application*. Upon receipt of the authorization application, the Project Lead reviews it for completeness and consistency with application requirements described in Chapter 3, *PCCP Authorization Application*.

For Covered Activities that are also subject to California Environmental Quality Act (CEQA) review, applications for take authorization will generally be undertaken concurrently with CEQA review. To facilitate a concurrent approach, the Project Lead should request that project applicants submit the PCCP application materials at the same time as the application for the first discretionary action needed for the Covered Activity (e.g., land use entitlement). For

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ministerial projects not subject to CEQA, the application materials should be submitted at the same time as the requested permit (e.g., building permit).

Local Environmental Review Committee/Development Review Committee (ERC/DRC) review of the PCCP/CARP authorization application associated with a discretionary project is subject to the processing time and other requirements of the California Permit Streamlining Act (§ 65920 et seq.), Subdivision Map Act (§ 66410 et seq.), and other local and state mandates, which require public agencies to follow standardized time limits and procedures when making specific types of land use decisions.

If the application is incomplete or inconsistent with requirements described in Chapter 3, *PCCP Authorization Application*, the Project Lead deems the application incomplete and instructs the applicant as to what is necessary to complete the application. Once the application is deemed complete and consistent with requirements, the Project Lead collects PCCP development fees or works with the PCA to secure equivalent mitigation. Chapter 6, *Applying Fees*, describes how the Project Lead assesses fees.

Any project-applicant request to contribute land in lieu of PCCP development fees, pay with mitigation/conservation bank credits, or call for other special project conditions must be reviewed and approved by the PCA and closely coordinated with the County. The Project Lead must get approval from the PCA before issuing a PCCP Certificate of Authorization for any projects that include mitigation other than fee payment. For projects that propose a land dedication in lieu of a PCCP development fee payment, a land dedication agreement between the proponent and the PCA is necessary before PCCP Authorization, as described under *Land Provided in Lieu of Development Fees* in Chapter 6, *Applying Fees*.

PCCP Certificate of Authorization

The Project Lead issues a PCCP Certificate of Authorization for the project to the applicant once the PCCP development fees have been paid or equivalent mitigation has been completed. The PCCP Certificate of Authorization includes conditions related to any pre-construction surveys or construction-related avoidance and minimization measures that were not completed prior to issuance of the certificate. The Project Lead informs the applicant as to these conditions and the requirement for post-construction documentation. Upon receipt of the PCCP Certificate of Authorization, the applicant is authorized to proceed with any land conversion authorizations associated with the project (e.g., building permit, grading permit or improvement plans) provided they meet the conditions stated in the certificate and all other conditions of approval in the County's land conversion authorization have been satisfied. The PCCP Certificate of Authorization runs concurrent with the time limits imposed by the County – if these entitlements or other approvals expire, the project is no longer approved under the PCCP. If the project obtains an extension of time, the County may also grant an extension of the PCCP Certificate of Authorization. The Project Lead should evaluate such projects to determine whether circumstances have changed and whether the conditions of approval need to be modified based on resources potentially affected.

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Pre- and Post-Construction Documentation

Projects that are covered by the Plan are required to comply with all terms and conditions of the HCP/NCCP and CARP that apply to the project prior to the local jurisdiction issuing take authorization. Since the applicant receives a PCCP Certificate of Authorization prior to completing all applicable conditions, the Project Lead must confirm that the conditions of approval have been met prior to and after construction is completed. The applicant is therefore required to fill out a post-construction checklist [LINK will be on webpage], documenting that all conditions have been met. The conditions within the Certificate of Authorization are broken out into two phases: pre-construction survey conditions and post-construction conditions. The results of the pre-construction surveys are due to the Project Lead prior to the initiation of ground-disturbing activities. The Project Lead will set a deadline, specified in the PCCP Certificate of Authorization, for the project proponent to submit the post-construction checklist within no more than six months from the date when all conditions are expected to be met.

PCA Notification

The County must submit documentation to the PCA at least annually (for inclusion in annual reports), describing the number of permits, the conditions applied, and the fees collected. Reports should be submitted by November 30 each year. In addition, the County will review applications in consultation with PCA staff to determine whether the application complies with the PCCP's requirements and whether to approve coverage under the PCCP's permits.

The County will develop a process to document projects that receive take authorization but do not proceed so that the take authorization can be removed from the PCA's records. If a project does not result in any ground disturbance and is abandoned or permission to proceed is revoked or modified, CDRA must notify the PCA that take authorization is also revoked or modified. Similarly, if a project receives an extension of time on its permit or entitlement and the take authorization is also extended, the PCA shall be notified by the County of the project's new expiration date.

2.6 Participating Special Entities

This section provides guidance for PSEs and for the PCA, which is responsible for processing and approving applications from the PSEs.

If the effects of a project have been included as part of the potential take for the HCP/NCCP but are not directly subject to the land use jurisdiction of the Permittees (e.g., PG&E installation of powerline or facilities), then an applicant can receive coverage for the project as a PSE. PSEs must apply directly to the PCA to receive coverage under the Plan. The PSE provides the same PCCP/CARP authorization application as other third parties seeking coverage (Chapter 3, *PCCP Authorization Application*). The PCA then determines which HCP/NCCP conditions and fees and/or land in lieu apply.

The PSE is responsible for preparation of the PCCP authorization applications and may be charged a reasonable fee by the PCA to review it. If legal review is deemed necessary by either the applicant or the PCA, legal fees will be paid by the applicant.

When a PSE submits the PCCP authorization applications to the PCA, they must include any environmental analysis that has been prepared by the PSE acting as the lead agency to comply with CEQA or National Environmental Policy Act (NEPA) or both.

When the PCA determines that the PCCP authorization application is complete, it provides copies of the application to the County or the City (depending on where the project is proposed) and to the Wildlife Agencies. The PCA may choose not to extend take authorization to a PSE or may impose conditions or fee amounts in addition to those required by the Program to cover PCA staff time and to cover a portion of the costs of conservation measures designed to contribute to the recovery of Covered Species.

If the PCA chooses to extend take authorization, it issues a Certificate of Inclusion (similar to a PCCP Certificate of Authorization as described above but for PSEs) to the PSE that provides take authorization under the permits for the proposed project. The PCA must find - with Wildlife Agency concurrence, that the following conditions are met:

- The PSE agrees to enter into an agreement with the PCA binding the PSE to the relevant terms and requirements of the HCP/NCCP (a "Participating Special Entity Agreement").[5]
- The proposed project complies with the terms and requirements of the permits, the HCP/NCCP and the Implementing Agreement.
- The effects of the proposed project have been evaluated as part of the potential future growth and are included as part of the potential take covered in the permits.
- There is sufficient take coverage remaining under the permits for the proposed project, taking into consideration the need to include Covered Activities authorized or implemented by the other Permittees.
- The proposed activity does not conflict with the conservation strategy or the ability of the PCA to meet the HCP/NCCP goals and objectives.

The PCA issues the Certificate of Inclusion to the PSE upon payment of the PCCP development fee specified in the PSE Agreement and completion of any conditions in the Agreement that must occur prior to issuance of the Certificate of Inclusion. The Certificate of Inclusion must include a map depicting the Assessor's parcel number(s) (APN), acreage, and owner of lands to which the take authorization(s) would apply. A template of the Certificate of Inclusion is in Appendix B of the HCP/NCCP.

The PCCP/CARP authorization application is used to determine the type and scope of Covered Activities, the effects on Covered Species, the application of conditions on Covered Activities and any avoidance and minimization measures proposed by the applicant. The applicant is responsible for preparing the PCCP/CARP authorization application.

[5] In the event of failure to uphold the terms of the PCCP, the contract gives the PCA the ability to force action by the PSE through legal means.

The scope and detail of documentation should be tailored to the scope and complexity of the project under consideration. Projects that affect Covered Species habitat may require extensive documentation; a building permit or grading permit may require only a few checklist items and verification with an aerial photograph.

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Chapter 3
PCCP Authorization Application

Chapter 19, Article 19.10 of Placer County Code requires applicants with Covered Activities that affect Covered Species and/or their habitat to submit the necessary forms and background data to receive an authorization for take of Covered Species under the HCP/NCCP and fill of wetlands consistent with the CARP, as described in Section 1.3, above. By completing the authorization application described in this chapter, applicants will provide the necessary information for take authorization under the HCP/NCCP and, if appropriate, an authorization to affect aquatic resources consistent with the CARP.

The requirements of the application form [link will be on website] are minimum requirements, and CDRA may request more information to clarify or complete the application materials. The authorization application was designed to provide the necessary data to track effects from Covered Activities on Covered Species and associated land cover, track wetland impacts, and allow the PCA to document how it is meeting certain Plan requirements.

Box A: Basic Information

Box A requires the applicant to provide basic contact information and details about the subject property.

For Box A, **items 1 and 2**, the applicant must enter the project name and date of submitting the application to the planning office. **Item 3** requires the applicant to fill out the application file number, which is assigned by the County. If no file number has been assigned, the applicant should indicate this in **Item 3** of the form. **Items 4 through 15** require the applicant to provide contact information for the property owner and project agent or applicant.

Box B: Project Description and Site Map

Box B requires the applicant to provide a comprehensive project description and site map, with the location of permanent direct, indirect, and temporary effects (persisting for less than one year) shown on the map. A vicinity map shall also be provided. An example map is located here [provide LINK].

For Box B, the applicant will provide the project address, if applicable, in **Item 1**. **Item 2** requires APNs for each parcel affected, and **Item 3** requires the applicant to provide the total acreage of the proposed project/parcel.

Item 4 requires the applicant to identify the type of land conversion authorization they are seeking for the project (i.e., any permit or approval that authorizes a ground-disturbing activity), including, but not limited to, grading permit, grading plan, improvement plan, and building permit. This also includes approvals for County-sponsored capital improvement projects and operations and maintenance activities. If the applicant is unsure what type of land conversion authorization is needed for the project, they should seek assistance from the Project

Lead in filling out **Item 4** or indicate if the application is being made under an already approved entitlement.

Item 5 requires the applicant to indicate the applicable PCCP Coverage Area (Valley or Foothills) based upon the location of the project. The applicant should review Figure 3-1, *Western Placer County and the Plan Area*, and check the applicable PCCP designation in **Item 5**.

Items 6 and **7** require the applicant to provide **Attachment 1** (Project Description) and **Attachment 2** (Project Site Plan and Spatial Data), respectively. The applicant should check the box for each item to confirm that the applicable attachment is included with the application.

Box C: Biological Resources Assessment Checklist

Box C is a checklist for preparation of a Biological Resources Assessment to be included as **Attachment 3** in the application materials. A qualified biologist will prepare this assessment for the applicant and confirm that each Box C item (described in the following subsections) is included. The qualified biologist or applicant must indicate in Box C the page numbers in the Biological Resources Assessment where each item may be found.

Qualified Biologist are biologists who have the experience, education, and training necessary to perform a given task described in this Plan accurately and in an unbiased fashion. A qualified biologist must have obtained a B.S. or B.A. or equivalent degree in biology, environmental studies, fisheries, or related field, and have at least two years of related work experience.

The applicant may use the same report for the application that they use for CEQA, provided the required items described below are included.

Qualifications

Include the name and qualifications of the qualified biologist who prepared the report. A qualified biologist must verify the land cover mapping in the report.

Vicinity Map

The report must include a vicinity map showing the location of the project relative to adjacent property, streets, and highways. The scale should be such that the project site encompasses the center portion of the vicinity map, with an approximately 0.25-mile buffer around the site. The map must include the scale and a north arrow.

Community and Land Cover Mapping and Baseline Consistency Determination

The report must provide documentation of the natural communities, land cover types, and constituent habitat in the area of potential effects (Chapter 5, *Determining Area of Effect*), based on the classification system provided in Table 3-1, *Communities, Land Cover Types, and Constituent Habitats*. The report must provide a table and figure with the acres of each community type on the site and the acres affected by the proposed project.

Upon receipt of the application, the County Project Lead must make a Baseline Land-cover Map Consistency Finding. This means that the Project Lead will compare current site conditions

against baseline conditions as identified in the 2011 Baseline Consistency Geographic Information System (GIS) mapping maintained by the County and make a finding regarding whether or not significant changes have occurred. If an apparent significant change in baseline land-cover is detected, the County Project Lead will review the changes to determine if baseline land cover information is inaccurate (based on a review of the data sources used to develop the baseline land-cover map) or if land-cover conditions have in fact been substantially degraded. "Substantial degradation" is defined as lands that meet any of the following criteria:

- The micro-topography and hydrology of the property are substantially changed from baseline conditions, resulting in the following:
    - Creeks, swales, and other drainages are no longer in the same location (within 100 feet).
    - At least 30 percent of ponded water and/or other wetlands are no longer present on the property.
- The entire tree canopy of riparian vegetation has been diminished by more than 20 percent.

When current landcover differs significantly (based on the criteria described above) from the PCA-verified baseline land-cover map, the Project Lead will provide the applicant with information regarding the project baseline and qualitatively describe how the current land-cover differs from the baseline. The project applicant must use these data to document (e.g., quantify acreages, qualitatively describe) the extent of change to the baseline land-cover type(s) and the type of activity that caused the change when such a determination can be made. The project applicant must also re-calculate the proposed project effects using the baseline land-cover map.

This information must be submitted to the Project Lead, and the revised information will be used to determine the effects of the project and PCCP development fees owed. The corresponding GIS shapefiles/geodatabase of the accurate land cover and project impact boundary is part of the necessary information submittal to the Project Lead as part if **Attachment 2** in the PCCP/CARP Application. If effects and PCCP development fees are calculated for a project based on baseline land cover (2011 conditions), the applicant will still use the current site conditions to evaluate the need for and apply any applicable conditions as described in Chapter 7.

The PCA may provide data to the County to support staff members in making these determinations. A finding of non-consistency does not establish responsibility for changes to the land-cover type. For additional information on this process, please see the HCP/NCCP, Chapter 6, Section 6.2.4.3.2, *Baseline Land-cover Map Consistency Finding*.

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Table 3-1. Communities, Land-cover Types, and Constituent Habitat

Community Name	Land-cover Type	Constituent Habitat
Natural Communities		
Grassland	*Annual grassland* *Pasture*	--
Vernal Pool Complex (VPC)	*VPC – high density* *VPC – intermediate density* *VPC – low density*	*Vernal Pool* *Season Wetland in VPC* *Seasonal Swales*
Aquatic/Wetland Complex	*Marsh Complex* *Pond*	*Fresh Emergent Marsh* *Lacustrine* *Non-vernal Pool Seasonal Wetland*
Riverine/Riparian Complex	*Riverine/riparian*	*Riverine* *Riparian*
Oak Woodland	*Blue oak woodland* *Foothill chaparral* *Interior live oak woodland* *Mixed oak woodland* *Oak-foothill pine woodland* *Oak savanna* *Rock outcrop*	--
Valley Oak Woodland	*Valley oak woodland*	--
Semi-natural Communities		
Rice Agriculture	*Rice*	--
Field Agriculture	*Alfalfa* *Cropland* *Eucalyptus*	--
Other Agriculture		
Orchard and Vineyard Agriculture	*Orchard* *Vineyard*	--
Urban (Non-natural) Communities		
Managed Open Water	*Canal* *Reservoir* *Urban open water*	--
Rural Residential	*Rural residential* *Rural residential forested*	--
Urban	*Urban and suburban* *Urban golf course* *Urban park* *Urban riparian* *Urban wetland* *Urban woodland* *Barren/industrial* *Road*	--

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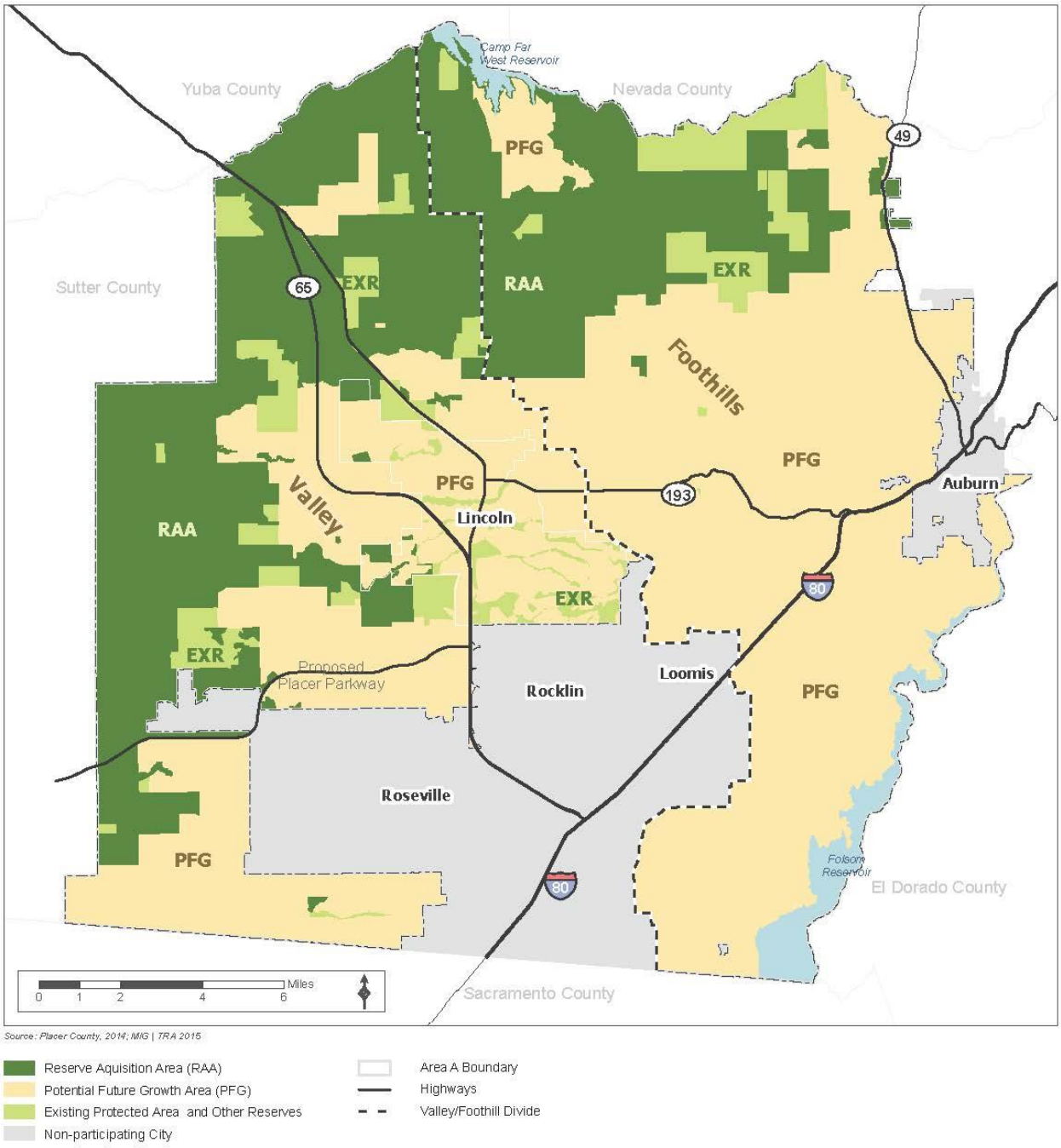
Figure 3-1. Western Placer County and the Plan Area



Covered Species Assessment and Surveys

The biological resources assessment must provide an assessment for the potential occurrence of all covered species and their habitat, and the results of planning surveys conducted during the planning phase (i.e., while the application is being prepared). Surveys are required when certain land-cover types and other conditions are present in the area of potential effects, defined differently for each species as described in Section 7.5, *Covered Species Conditions*. See

Table 3-2, *Species Survey Summary*, for a description of the locations and land-cover types that trigger species surveys. Timing and frequency of planning surveys is detailed in Section 7.5.

Surveys will be conducted by qualified biologists. During the application process, the Project Lead will coordinate with the qualified biologist to determine which surveys are required and when they will be performed.

If applicable community types, constituent habitat, or habitat features are present in the area of potential effects, the qualified biologist will conduct these surveys consistent with requirements in Chapter 7, *Conditions on Covered Activities.* In the biological resources assessment, the qualified biologist will document which surveys were conducted, detail the methods and results of those surveys, and provide a map that displays where the surveys were conducted and where Covered Species, if any, were detected. The biological resources assessment will also document the condition of all species occurrences on the project site and will include a completed California Natural Diversity Database (CNDDB) California Native Species Field Survey Form. The corresponding GIS shapefiles/geodatabase of the species planning survey results must be submitted to the Project Lead as part of **Attachment 2** in the PCCP/CARP Application. Chapter 7 provides additional information related to reporting requirements for species surveys.

Table 3-2. Species Survey Summary

Species	Location, community types, constituent habitat, and habitat features where surveys are required	Survey Period
Swainson's hawk	In the Valley only in these communities within 0.25 mile (1,320 feet) of the project site: • Grassland (if trees are present) • Valley oak woodland • Riverine/Riparian Complex (if trees are present) • Semi-natural (agricultural; if trees are present) • Other agricultural (if trees are present) • Rural residential (if trees are present) • Urban (if trees are present) *Also see Chapter 7, Species Condition 1.*	February 1 to September 15
California black rail	Project occurs within 250 feet of fresh emergent marsh > 0.2 acre in size. *Also see Chapter 7, Species Condition 2.*	March 15 to Early July

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Species	Location, community types, constituent habitat, and habitat features where surveys are required	Survey Period
Western burrowing owl	In these communities and habitat features: • Grassland • Vernal Pool Complex • Semi-natural (agriculture) • Other agricultural • Rural residential and urban if potential burrow sites are available • Human-made structures such as underground pipes, irrigation canal banks, ditches • Banks of intermittent drainages if potential burrow sites are available *Also see Chapter 7, Species Condition 3.*	Year-round Breeding season (February 1 to August 31) Non-breeding season (September 1 to January 31)
Tricolored blackbird	Project sites with the following communities or habitat features if they are within 1,640 feet of open water (e.g., fresh emergent marsh, stock pond, non-vernal pool seasonal wetland, riverine): • Grassland • Aquatic/Wetland Complex • Field Agriculture when planted in wheat or triticale • Blackberry patches (often associated with the riparian habitat) *Also see Chapter 7, Species Condition 4.*	March 15 to July 31
Giant garter snake	Within the mapped range of modeled habitat for giant garter snake with these communities, constituent habitats, and habitat features: • Rice agriculture • Aquatic/Wetland Complex (including stock ponds) • Non-vernal pool seasonal wetland • Riverine (low-gradient streams) • Canal *Also see Chapter 7, Species Condition 5.*	N/A
Valley elderberry longhorn beetle	Below 650 feet elevation in: • Riverine/Riparian Complex • Valley oak woodland • Stream System (excluding frequently disked or flooded agricultural lands such as rice that would not likely support elderberry shrubs) *Also see Chapter 7, Species Condition 8.*	Year-round
Conservancy fairy shrimp	In vernal pool complex constituent habitat wetlands within the survey boundary depicted in Figure 3-2, *Conservancy Fairy Shrimp Survey Area.* *Also see Chapter 7, Species Condition 9.*	Wet season and dry season (see current U.S. Fish and Wildlife Service protocol for details)
Vernal pool fairy shrimp and vernal pool tadpole shrimp	In vernal pool complex constituent habitat wetlands. *Also see Chapter 7, Species Condition 10.*	Wet season and dry season (see Species Condition 10 for details)

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Species	Location, community types, constituent habitat, and habitat features where surveys are required	Survey Period

* Habitat model is a subset of Placer County Wildlife Habitat Relationship land-cover types associated with species and is subject to revision.

** These species are protected under two or more regulations including the federal Migratory Bird Treaty Act, California Fish and Game Code Sections 3503 and 3503.5.

*** The species in this table are covered under PCCP but it does not include all special-status species, i.e. plants

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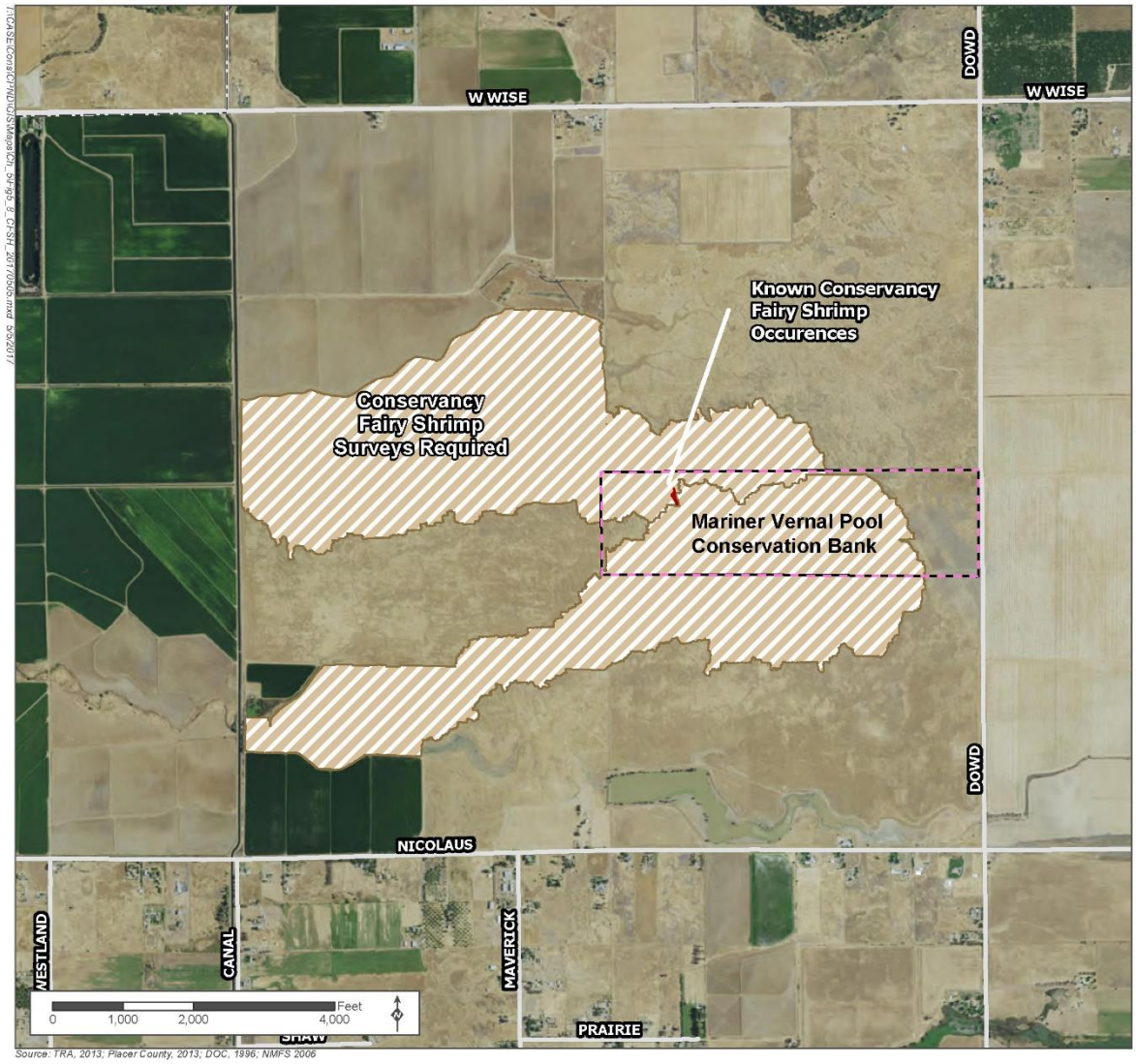
Figure 3-2. Conservancy Fairy Shrimp Survey Area



Conditions Assessment

For all Covered Activities, applicable avoidance and minimization measures, including construction monitoring, shall be identified as **Attachment 4** (use Appendix E – Master Conditions on Covered Activities Checklist). Appendix E outlines the Species Conditions, described in Section 7.5, *Covered Species Conditions*, which are based on habitat and planning species surveys conducted. The qualified biologist will identify these conditions in the biological resources assessment. Additionally, the qualified biologist will use Appendix E to identify other applicable project conditions described in Chapter 7, *Conditions on Covered Activities*, including general conditions (Section 7.2, *General Conditions*), conditions related to natural communities (Section 7.3, *Conditions to Avoid and Minimize Effects on Specific Natural Communities*), and the Stream System (Section 7.4, *Conditions to Avoid and Minimize Effects on the Stream System*). The qualified biologist will also need to review the CARP for avoidance, minimization and mitigation requirements that may differ from the HCP/NCCP including the use of best management practices identified in Appendix B of the CARP.

The conditions assessment will describe avoidance and minimization measures that will be implemented as a condition of approval of the project entitlements and *after* the project has received a PCCP Certificate of Authorization. The PCCP Certificate of Authorization will specify that the approval is only valid upon satisfaction of these conditions, which typically involve additional surveys immediately prior to, or during, project construction and additional measures to minimize harm to the Covered Species.

This component of the biological resources assessment should provide recommendations on avoidance and minimization measures and the application of pre-construction surveys and other project conditions identified from Chapter 7, *Conditions on Covered Activities*, of this User's Guide. For projects that occur over multiple years, including projects that are phased, the frequency and timing of required surveys will be determined by the Project Lead in consultation with the Wildlife Agencies, based on avoidance and minimization requirements for the natural communities or covered species potentially affected.

Biological Resources Effects

This component of the biological resources assessment should evaluate the unavoidable effects of the proposed project on Covered Species and their habitat. The qualified biologist will evaluate effects on each natural community type, the Stream System, and Covered Species habitat. The biological resources assessment will provide tables quantifying acres of natural communities, land cover types, constituent habitat, and linear feet of Stream System affected. See Chapter 5 for a description of how to quantify and report effects.

Avoidance Areas

Any open space on a project/parcel site will be considered part of the project effects and, therefore, assumed to be permanently affected and not exempted from the fees (See Chapter 6), unless the open space qualifies as avoided land. If the applicant is proposing avoided areas, the applicant should check the box at **Item 9**, and the biological resource assessment must include the necessary information for the County Project Lead to determine whether these areas qualify as avoided lands under the PCCP.

To qualify as avoided, land within the Potential Future Growth Area (PFG) must meet all the applicable natural community and Covered Species conditions described in *Conditions Assessment*, above, and also meet at least one of the following criteria:

1. It is a minimum of 200 contiguous acres.
2. It is located adjacent to the Reserve Acquisition Area (RAA) or adjacent to an existing reserve that together totals at least 200 acres (either a HCP/NCCP reserve or a non-HCP/NCCP reserve protected in perpetuity).
3. It is located in or abuts the Stream System boundary (The Stream System boundary is determined by a set distance from the ordinary high-water mark (OHWM) or the boundary of the 100-year floodplain (whichever is furthest) as determined by the FEMA (Federal Emergency Management Agency) or project specific information (whichever is furthest).
4. It contributes to meeting the goals and objectives of the HCP/NCCP, and as determined by the PCA (i.e., the PCA may want to acquire the avoided area for the Reserve System).
5. It is set aside to avoid occurrences of certain Covered Species or sensitive land-cover types per the conditions in this chapter.
6. It is required to be avoided by the PCA.

The avoidance determination, including an evaluation of direct and indirect effects, will be made by the County Project Lead in consultation with the PCA and will take into account such factors as the avoidance area's relationship to existing or potential reserves, edge:area ratio, and Stream System boundary.

Any part of a project site that is deemed to have permanent effect avoidance is not subject to the application of fees, and establishment of a conservation easement is not required. Avoidance does not necessarily mean that the excluded land is suitable to be credited as land to be incorporated into the Reserve System in lieu of fees (see Section 6.5 for additional discussion on land in lieu of fees). If the avoided land is to be included as part of the Reserve System, the Wildlife Agencies must review and approve such inclusion.

Reference Photographs of Areas Temporarily Affected

If the applicant is proposing temporary effects, the applicant should check the box at **Item 10** and the biological resource assessment must include reference photographs of the area temporarily affected. These photographs must be sufficient to determine whether the affected areas have been restored to pre-project conditions within a year after the area is affected.

Box D: Stream System and Salmonid Streams

The qualified biologist must fill out Box D by checking the appropriate boxes and including the information indicated on the form, as described below.

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Stream System

For **Item 1,** the qualified biologist must determine whether any portion of the Stream System is present on the project site. If the Stream System is present, the applicant must provide a map of the Stream System, labeled as **Attachment 5**, and provide the name of the stream and watershed in **Item 2**. Additionally, the corresponding GIS shapefiles/geodatabase of the stream system should be submitted as part of **Attachment 2** in the PCCP/CARP Application, for verification with the Aquatic Resources delineation data and appropriate Stream System boundaries. If the qualified biologist determines under **Item 1** that the Stream System is *not* present, then they must skip to **Item 4,** indicate whether upland drainages are present, and map any upland drainages on **Attachment 5** (see *Upland Drainages*, below).

To determine whether Stream System is present, the qualified biologist should refer to blueline streams or equivalent mapping downloaded from the National Hydrography Dataset (NHD). All streams shown on the NHD map should be included on **Attachment 5**.

If streams not shown on the NHD map are identified during the site survey or are identified by mapping HCP/NCCP aquatic features as described under Box E, below, then **Attachment 5** must also identify these streams. **Attachment 5** must provide information sufficient to determine whether a stream or streams that are not shown on the NHD map are part of the Stream System. Streams not shown on the NHD map will be mapped as part of the Stream System based upon the following criteria:

- The Stream System Boundary provides hydraulic continuity between NHD mapped streams in the upper watershed and mapped streams in the lower watershed when land alterations have erased original stream traces.
- Artificial watercourses (e.g., canals, channels, flood water conveyances) shall be included in the Stream System Boundary when the stream serves in lieu of a natural stream to maintain hydraulic continuity with the watershed above, and where the channel is in an unlined, earthen condition.
- The stream is determined to be perennial.
- If the stream is determined to provide habitat for salmonids based on PCA maps (see section below, *Salmonid Streams*).

Attachment 5 must clearly delineate the Stream System Boundary. A field survey must be conducted by the qualified biologist to identify where Stream System elements are located on **Attachment 5** at a sufficient scale to determine the exact location of the channel or channels and Stream System Boundary. The minimum Stream System boundary for un-specified reaches is 50 feet from the ordinary high-water mark (OHWM) on both sides of the stream or the 100-year floodplain, whichever is greater in width. **Attachment 5** should also include a depiction of all riverine/riparian habitat on the project site.

The Stream System Boundary is truncated at the point where the watershed falls below forty (40) acres in extent, even if a floodplain is present and buffer areas adjacent to streams that may include upland natural communities. For a very accurate analysis, this is a relatively straightforward exercise using LiDAR.

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The results in Box E should include a determination of the OHWM, which is used to determine the innermost edge of the variable-width boundary described in Table 3-3, *Boundary Widths for Specified Stream Reaches*. On the site plan, the 100-year floodplain is to be mapped as determined by the ERC/DRC.

In the table provided under **Item 3** of the PCCP authorization application form, the qualified biologist must specify linear feet of impacts on perennial (sustain flows year-round), intermittent (receive some input from groundwater discharge in addition to precipitation runoff and seasonal flow), ephemeral (receive no input from groundwater and flow only during and following storm events from precipitation runoff) streams, drainage ditches, and canals. The qualified biologist must also differentiate impacts between temporary and permanent and specify the linear feet of impacts to each stream type. Stream length is measured along stream centerline, based on length of impact on any part of the channel below the OHWM.

Table 3-3. Boundary Widths for Specified Stream Reaches

Stream ID[a]	Stream Name Listed from North to South and from West to East	Stream System Boundary in feet Measured from OHWM
1	Bear River downstream of Camp Far West Dam	600
2	Bear River upstream of Camp Far West Reservoir	400
3	Yankee Slough downstream of Sheridan Lincoln Blvd. crossing	200
4	Yankee Slough upstream of Sheridan Lincoln Blvd. crossing	100
5	Yankee Slough North Fork to Riosa Road	100
6	Raccoon Creek downstream of the Doty Ravine Confluence	600
7	Raccoon Creek between the Doty Ravine Confluence and McCourtney Road	300
8	Raccoon Creek between McCourtney Road and Garden Bar Road	200
9	Raccoon Creek upstream of Garden Bar Road	100
10	Orr Creek	100
11	Dry Creek tributary to Raccoon Creek	100
12	Rock Creek	100
13	Deadman Canyon	100
14	Doty Ravine downstream of Caps Ravine	300
15	Doty Ravine upstream of Caps Ravine	100
16	Caps Ravine	100
17	Sailors Ravine	100
18	Markham Ravine downstream of Dowd Road	200
19	Markham Ravine between Dowd Road and Sheridan-Lincoln Blvd	100
20	Markham Ravine North Fork	100
21	Auburn Ravine downstream of Moore Road crossing	600
22	Auburn Ravine between Moore Road and Lincoln Blvd	400
23	Auburn Ravine between Lincoln Blvd and Fowler Road	300
24	Auburn Ravine between Fowler Road and Auburn WWTP	200

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Stream ID[a]	Stream Name Listed from North to South and from West to East	Stream System Boundary in feet Measured from OHWM
25	Auburn Ravine upstream of Auburn WWTP	100
26	North Ravine	100
27	Dutch Ravine	100
28	Orchard Creek downstream of State Route 65	200
29	Orchard Creek upstream of State Route 65	100
30	Ingram Slough	100
31	King Slough	100
32	Pleasant Grove Creek – west of Reason Farms	400
33	Curry Creek downstream of Baseline Road	200
34	Curry Creek upstream of Baseline Road	100
35	Dry Creek downstream of Cook-Riolo Road	400
36	Dry Creek from Cook-Riolo to Roseville City Limits	300
37	Secret Ravine	200
38	Secret Ravine North Tributary	100
39	Secret Ravine South Tributary	100
40	Secret Ravine along Boardman Canal	100
41	Miners Ravine downstream of King Road	200
42	Miners Ravine upstream of King Road	100
43	Linda Creek below Barton Road	200
44	Linda Creek above Barton Road	100
45	Strap Ravine	100
46	Antelope Creek upstream of Loomis Town Limits	100
47	Mormon Ravine	100
	USGS Blueline Streams not Specified Above	50

Notes:

[a] Named streams cross-referenced to the stream ID numbers are also shown on Figure 3-3.

OHWM = ordinary high water mark

USGS = U.S. Geological Survey

WWTP = wastewater treatment plant

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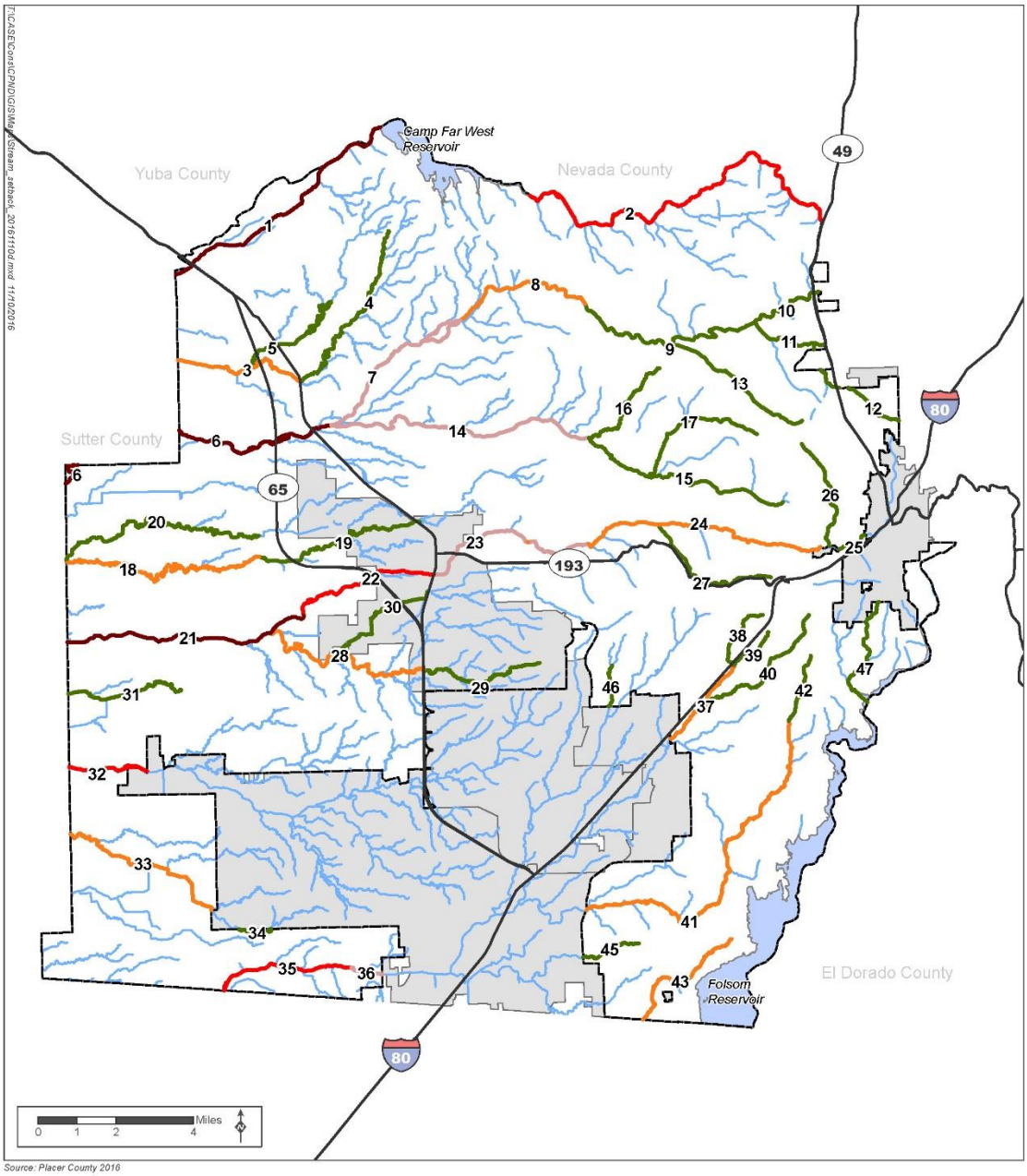
Figure 3-3. Stream System Boundary Widths



Salmonid Streams

In **Item 5,** the applicant will indicate whether the streams identified in **Item 1** provides salmonid habitat. The PCA will supply the current map of salmonid habitat (will be linked to website) (e.g., habitat for chinook salmon or steelhead trout) in the Plan Area. If modeled salmonid habitat is present, **Attachment 5** will consist of the portion of the PCA map relevant to the project. **Attachment 5** must indicate the reaches of salmonid habitat, as identified in Table 3-3, and be drawn at a scale sufficient to determine the exact location of salmonid habitat. The map must also show any tributary or off-channel habitat present based on physical characteristics. A site survey for salmonids is not required. The Project Lead will consult with the biologist and advise if the project proponents should contact CDFW to verify survey information, if needed to comply with California Fish and Game Code Section 1600 et seq. (*California Fish and Game Code Sections 1600-1616*).

For salmonid streams, **Attachment 5** must identify each stream reach as spawning, rearing, or migration habitat. **Attachment 5** must also identify upland drainage swales that do not contain any aquatic resources or meet the criteria of the Stream System but still convey water during storm events. Upland drainages are further described below.

Upland Drainages

Upland drainage swales and their salmonid habitat status as indicated in **Item 4** must be included on **Attachment 5** and indicated as such in the spatial data provided under **Attachment 2.** If it is determined that a drainage feature has a watershed less than 40 acres in area it is considered an upland drainage swale unless an aquatic resource is mapped within the drainage feature as required by Box E.

Box E: Aquatic Resources Checklist

In Box E, the applicant will indicate whether aquatic resources would be affected by the project. If there is the potential to affect aquatic resources, the applicant must complete the checklist in Box E and include the following documentation in the application.

Aquatic Resources Delineation Report with Aquatic Features Mapping

If 0.01 acre (436 square feet) or more of aquatic resources are present, the application must check **Item 1** and include a wetland delineation report consistent with USACE standards, and label **Attachment 6**. Additionally, the corresponding GIS shapefiles/geodatabase of all aquatic features should be submitted as part of **Attachment 2** in the PCCP/CARP Application, If there are less than 0.01 acre of aquatic resources present, the Program Biologist may delineate the wetlands.

The report must identify any aquatic features present on the project site. A qualified biologist must map aquatic features based on delineated aquatic resources of Placer County, which will be based on the current CARP permitting process (Chapter 4, *CARP Review*). If mapping requires access to an adjacent parcel, the project applicant will endeavor to gain permission to access the adjacent parcel to conduct an aquatic resource delineation. If permission is not granted, the

application may approximate the extent of the wetland portion of the aquatic feature using aerial photographs and offsite reconnaissance.

Map of Aquatic Resource Impacts

If aquatic resources are present, the applicant must check **Item 2** indicating that the application includes a plan-view and cross-section-view drawings of the project where it affects aquatic resources, with a north arrow and appropriate scale, labeled as **Attachment 7**. Aquatic resources must be quantified to the nearest thousandth of an acre (i.e., third decimal place).

The cross-section view should be scale drawings that show the proposed structure that will impact the aquatic resources if sliced internally for display.

Proposed Aquatic Resources Impacts with Avoidance and Minimization Measures

If aquatic resources are present, the application must check **Item 2** indicating that the application includes a document describing the measures the applicant will implement to avoid and minimize impacts on aquatic resources, with a table quantifying the unavoidable impacts. The applicant must label this document **Attachment 8.**

The applicant must describe the methods used to avoid and minimize impacts on protected resources to the extent practicable (e.g., project design, stream buffer). The table quantifying impacts will provide the acres and amount of fill in cubic yards to aquatic resources, for each aquatic resource type that cannot be avoided.

USACE Verification of Aquatic Resources Delineation

If 0.01 acre or more of aquatic resources is present, the application must check **Item 4** indicating that the application includes a letter from the USACE verifying the wetland delineation (an approved or preliminary jurisdictional determination), labeled **Attachment 9.**

Water Quality Certification

If a qualified biologist or the Program Biologist determines that the project would impact Waters of the State, the applicant must check **Item 5** and the application must include a copy of the Notice of Intent according to the Programmatic General Permit for 401 Certification [add link] or the Waste Discharge Requirement application, labeled **Attachment 10**. See Section 4.4, *Water Quality Certification*, under the heading, *Water Quality Certification*, for additional information on this requirement.

Box F: Proposed Assessment of Land In Lieu of Fees

In Box F, the applicant must indicate whether they are proposing a land dedication in lieu of fees. If so, land may be provided in lieu of all or a part of the PCCP land conversion fee if it meets all of the conditions listed below. All proof that the proposed lands meet the criteria for Reserve System Lands (see HCP/NCCP 8.4.1 for more detail), as well as the Land in Lieu of Fee Proposal and Land Dedication Agreement, will be labeled **Attachment 11**.

- Reserve System Lands must meet the criteria listed under Chapter 3, Box C – Avoidance Area and the following criteria:
    - Contribute to meeting the goals and objectives of the Plan.
    - Permanently protect the biological functions and values that contribute to the Plan. Permanent protection must be ensured by a conservation easement recorded in favor of the PCA. For lands to be owned by the PCA or a Permittee, permanent protection must be ensured through a conservation easement recorded in favor of a Wildlife Agency or an appropriate third-party easement holder approved by the Wildlife Agencies.
    - Have no hazardous materials or property encumbrances that conflict with Plan goals and objectives. The PCA will ascertain the frequency and type of use in these rights-of-way and utility easements and determine whether the affected areas should be counted toward land acquisition commitments. Any rights-of-way or utility easements that are maintained or used regularly cannot be counted toward land acquisition commitments because of the disturbance that occurs in these areas.
    - Have not been used to mitigate a project or activity that is not a Covered Activity, including projects and activities approved and permitted before the Plan was approved.
    - Mitigate the effects on Covered Species from the Covered Activity for which the dedication is offered.
    - Be approved by the PCA and the Wildlife Agencies.
    - Be part of a land dedication agreement between the PCA and the project proponent.

Calculating Fee Reduction

The PCA will consider requests for a land conversion fee reduction or waiver in exchange for land dedication (fee title or conservation easement) on a case-by-case basis. The amount of the reduction in the land conversion fee will also be determined case by case, based on the amount of land dedicated and the conservation value of the land. The amount of land required to fully offset the land conversion fee for each project may be higher or lower depending on the conservation value of the land and its importance to the assembly of the Reserve System. Land dedications cannot offset the costs associated with the special habitat fees that are used to fund restoration actions of the PCA.

Land in Lieu of Fee Proposals

Proposals from private project proponents to dedicate land in lieu of paying fees are required to provide the following. See Scenario 5 of the Fee Scenario Handbook for an example land dedication proposal.

- Baseline data on the property(ies) proposed for dedication that document their biological value to the Plan.
- A description of how the land mitigates effects on Covered Species.
- An explanation of how the site meets land acquisition requirements and biological goals and objectives of the PCCP.

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In addition, the property owner will provide access to the proposed site to allow PCA or its designees to conduct a pre-acquisition assessment. As part of the pre-acquisition assessment, the PCA will determine whether and how the proposed site meets the criteria for the Reserve System. The PCA will also consult with local land managers when evaluating proposals to dedicate land in lieu of paying Plan fees to help determine long-term management and monitoring issues, feasibility, and costs. The project proponent will be required to pay the cost of other due diligence such as Phase I or II (if necessary) environmental assessments, property appraisal (required when state or federal grant funding or public agency general funds are to be utilized), land surveys, and title search.

Land Dedication Agreement

All land dedications in lieu of payment of a portion of the land conversion fee will require a land dedication agreement between the PCA and project proponent. The land dedication agreement must be executed, and the lands must be dedicated (i.e., transferred to the PCA or other land acquisition partner) in accordance with the agreement, before fees are due for the proponent's Covered Activity. The land dedication agreement will specify the following.

- The lands that are proposed for dedication, including a map of the parcel(s) in relation to other components of the Reserve System, or other properties subject to other permanent protections for conservation purposes, including lands acquired through other conservation programs (e.g., land trust acquisitions, Natural Resources Conservation Service Wetland Reserve easements, Placer Legacy Open Space and Agricultural Conservation Program).
- The amount of land proposed for dedication.
- The land's conservation values, as identified in the pre-acquisition assessment, and how the lands contribute to assembling the Reserve System.
- The proposed Covered Activity subject to the land conversion fee for which the credit will be provided.
- How the land's conservation values mitigate the effects of the Covered Activity.
- The amount of credit toward the land conversion fee that will be provided.

Supplemental Materials

The County Project Lead may determine that other studies are required to assess project impacts. The following are examples of supplemental material that may be necessary.

Drainage or Hydrology Study

A drainage or hydrology study may be required if a proposed project requires work within or adjacent to streams such as bridges, infrastructure maintenance activities within a stream, storm drain outfalls, flood-protection capital improvement projects, and any emergency actions that occur in or near streams.

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Lake or Streambed Alteration Agreement

If the activities will require notification under California Fish and Game Code Section 1602, the applicant will submit a complete notification package and applicable fee to CDFW for review. CDFW will make the determination of whether a Lake or Streambed Alteration Agreement will be required. Applicants are encouraged to contact CDFW to verify the application would be sufficient for purposes of any compliance with California Fish and Game Code Section 1600 et seq. CDFW can, in most circumstances, use the CARP Authorization in issuing Lake or Streambed Alteration Agreements by agreeing to the same avoidance, minimization, and mitigation measures as required under the CARP.

The applicant may be required to submit additional information for projects that affect streams below the OHWM. Additional information may include, but is not limited to, the following: location of the OHWM, dewatering plans, location and description of temporary crossings, riparian vegetation, staging areas, and stream bank stabilization structures. The project's location within any Stream System must also be identified.

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If aquatic resources are present and impacted on a project site authorization through the CARP will be required. Applicants should be notified at the earliest possible date that a CARP authorization will be required through pre-development meetings (described in Section 2.4, above), informal discussions at the front counter, correspondence, or other early review.[6] Because a CARP authorization requires participation from outside agencies including the USACE, RWQCB, and State Office of Historic Preservation; it is essential that applicants understand the CARP review process as soon as possible.

4.1 Site Assessment by Program Biologist

Within 15 days after the Project Lead has deemed the PCCP/CARP application complete, the Program Biologist will conduct a site assessment to evaluate the aquatic resources present on a project site and the impacts that would result from the proposed project, using the CARP Site Assessment Form [link to website]. The site assessment will also evaluate impacts on other biological resources and, through coordination with a cultural resources specialist, potential for impacts on cultural resources. The findings of the site assessment will be shared with the Project Lead assigned to the development project, and the Project Lead will be responsible for the completion of the CARP Site Assessment Form. The Project Lead will distribute the complete CARP Site Assessment Form to the PCA, the RWQCB, and the USACE.

The Program Biologist will review (if already prepared) a delineation of aquatic resources. As noted above, the Program Biologist will only prepare the delineation if the aquatic resource is less than 0.01 acre in area. Delineations must be conducted in accordance with current USACE methodology found on the USACE Sacramento District Regulatory Division website and must meet the current USACE standards for delineations. In addition to USACE standards, the delineation must identify all aquatic resources according to the terminology and definitions with the CARP and categorize these resources by the constituent habitat types of the PCCP (Appendix D. *Aquatic Resources Delineation Guidance*). Impacts on aquatic resources and the Stream System shall be presented in a table which clearly identifies the different aquatic resource types that will be affected. Aquatic resources should be quantified to 3 decimal places (thousandths).

The purpose of the CARP site assessment is to evaluate aquatic resources present on the project site and determine the impacts that would result from the project. The CARP site assessment will help the local jurisdiction determine whether aquatic resources on a site should be preserved or whether land dedication, collection of special habitat fees, or the purchase of credits at a mitigation bank is the preferable mitigation strategy.

[6] The pre-development meeting will also help to determine the level of CEQA review necessary and will identify any studies that may be needed in addition to the required aquatic resource delineation and biological resources assessment.

The site assessment will include a preliminary review of high-resolution aerial photography, LiDAR data or other available imagery of the site, measurement of the extent of aquatic resources, and review of project plans. The mapping will be based upon exact measurements taken of the aquatic features found at the project site. The Program Biologist will work with the applicant, PCA, and/or County's GIS staff to create an exhibit showing Aquatic Resources of Placer County and other pertinent features. The resulting exhibit will depict the type(s) of aquatic resources on the property and provide a table quantifying the size of each type of aquatic features to be affected directly and indirectly by the project.

The Program Biologist will review for all PGP projects and complete for projects with less than 0.01 acre of aquatic resources, the CARP Site Assessment Form and document all sources of information, which may include, but is not limited to the following:

- Public GIS data sources
- Western Placer County aerial photographs
- Unmanned Aerial Vehicle photography and related data
- LiDAR data
- U.S. Geological Survey (USGS) quadrangles
- Resource assessment and aquatic resource delineation provided by applicant
- Reports, such as hydrology studies, provided by applicant
- Natural Resources Conservation Service surveys
- CEQA, NEPA or other documents that the Program Biologist considers current that were previously prepared for the site or in the vicinity of the project
- Site photographs
- Site visits by County Project Lead
- Correspondence including phone conversations with state and federal agency personnel
- Correspondence including phone conversations with consultants or other knowledgeable individuals
- PCA HCP/NCCP land cover maps (GIS data)

Once the Program Biologist confirms the onsite habitat conditions and creates or reviews the delineation exhibit for accuracy, they will provide the information to the USACE for review and verification and provide a copy of the form to the PCA.

Larger Projects

For larger projects (i.e., projects that will be permitted through a USACE Letter of Permission [LOP] or Standard Permit) for which the Applicant obtains a LOP or Standard Permit to comply with section 404 of the CWA, a CARP site assessment will not be required. However, the delineation of Waters of the United States (WOUS) required for a LOP or Standard Permit

application and the USACE verification letter must be provided by the applicant as part of the PCCP authorization application.

4.2 Can Aquatic Resources be Avoided?

The proposed project will be evaluated by the Project Lead and Program Biologist to ensure that aquatic resources within or adjacent to the Stream System, or an existing preserve, are being avoided to the greatest extent practicable. The applicant may be required to modify their project to avoid aquatic resources. Section 4.5, *Avoidance and Minimization Measures*, provides additional details on aquatic resource avoidance requirements.

4.3 Does Project Meet Threshold for Programmatic General Permit?

Except as further restricted below, the loss of waters of the U.S. (including wetlands) resulting from authorization of a single and complete project under the USACE Programmatic General Permit (PGP) shall not exceed a total of 3.0 acres.

- The loss of vernal pool waters resulting from authorization of a single and complete project under this PGP shall not exceed 1.0 acre.
- The loss of irrigated wetlands in existing and active rice fields that are considered to be waters of the U.S., as verified in writing by the Corps, resulting from authorization of a single and complete project under this PGP shall not exceed 3 acres.
- The loss of all other waters of the U.S. not identified above, as verified in writing by the Corps, resulting from authorization of a single and complete project under the PGP shall not exceed 2 acres.
- The loss of streambed shall not exceed 500 linear feet of perennial, intermittent, or ephemeral streams, and/or a total of 1,000 linear feet of irrigation or drainage ditch (provided the irrigation or drainage ditch is not a relocated or channelized stream), as verified by the USACE.
- No loss of vernal pool waters of the U.S., as verified in writing by the Corps, as a result of a single and complete project, is authorized under the PGP within the Lower American River 8-digit hydrologic unit code (HUC) watershed (HUC 18020111), as identified by the USGS.
- The cumulative loss of waters of the U.S. authorized by the PGP shall not exceed 90 acres of waters of the U.S., including wetlands, within the Plan Area. The cumulative loss of vernal pool waters of the U.S. authorized by this PGP shall not exceed 15 acres.

If the project's impacts on aquatic resources exceed the threshold(s) authorized by the PGP, the applicant is required to obtain a LOP or Standard Permit to comply with section 404 of the CWA. The applicant must notify the Project Lead that one or more applications is being processed by the USACE, by checking the appropriate item in Box E of the PCCP authorization application form. Once the LOP or Standard Permit is issued by the USACE, the applicant must

provide a copy to the County. For these projects, a CARP Authorization will not be required, provided the project complies with the terms and conditions of the LOP or Standard Permit and the requirements of the HCP/NCCP, including but not limited to the payment of applicable PCCP development fees.

The process described below applies to Covered Activities authorized by the County Project Lead that meet the threshold for the PGP.

4.4 Supplemental Materials

Depending on the findings of the site assessment and aquatic resource delineation as overseen by the Program Biologist, the County Project Lead may determine that other studies are required to assess project impacts. The following are examples of supplemental material that may be necessary.

National Historic Preservation Act

As part of the initial CARP application review, the County Project Lead will initiate the verification process under the Cultural Resources Management Plan (CRMP). The CRMP provides the standards and procedures to ensure that individual projects, as they are brought forth under the PCCP, are compliant with all federal, state, and local laws and regulations as they relate to cultural resources, including, but not limited to, Section 106 of the National Historic Preservation Act, the California Environmental Act, and the Placer County Code. Applicants are required to submit specific materials as part of the PCCP Participation Package, which are specified in Section 8.1 of the CRMP. This includes a cultural resources technical report prepared by an individual meeting the professional qualifications standards in Section 3.1 of the CRMP, and, until a Programmatic Agreement is executed with the USACE, documentation that USACE has completed its obligations under Section 106 National Historic Preservation Act.

The County Planning Division will carry out a completeness review of the package using the form in Attachment A of the CRMP in determining completeness. Once deemed complete, the Package will be transmitted to the County's Cultural Resource Compliance Manager (CRCM) for further review and processing. Using the form in Attachment B of the CRMP, the CRCM will complete a compliance review of the applicable materials in the Package within 30 days. Once deemed complete, the CRCM will make a determination of effect and carry out agency and tribal notifications and, if necessary, additional consultation, before the County will issue a permit.

Alternatives

If the County determines that the proposed project does not avoid and minimize impacts on aquatic resources to the extent practicable, additional information regarding the practicability of an onsite alternative to the proposed action may be required.

Water Quality Certification

If the project involves dredge or fill of waters of the state (as determined by qualified biologist or Program Biologist), a Water Quality Certification is required for the project. To receive this certification, the applicant must identify the receiving waters and beneficial uses of waters of the state to be impacted by a proposed individual project within a Notice of Intent (NOI) application which should include a copy of the PCCP/CARP Authorization Application and a RWQCB application fee as required by Section 2200(a)(3) of the California Code of Regulations. If the project qualifies to utilize the 401 Programmatic General Permit, the applicant will provide a copy of the NOI application for 401 Certification and check the box in the PCCP/CARP Authorization Application. The NOI will then be placed on public notice through the Central Valley Regional Water Quality Control Board website for 21 days or as otherwise required by the state. If the Program Biologist indicates that project activities will not affect WOUS and will only affect waters of the state, the applicant will submit a Waste Discharge Requirement (WDR) application to the RWQCB for review and issuance of a WDR authorization. **Avoidance and Minimization Measures**

Applicants are required to avoid and protect Aquatic Resources of Placer County in the design of proposed projects and during construction and must include the following avoidance and minimization measures in the application materials.

- A description of the methods used to avoid and minimize impacts on protected resources in accordance with Chapter 6 of the HCP/NCCP and Chapter 6 and Appendix C-1 of the CARP (e.g., stream structural setbacks, grading permit requirements, conditions on the CARP Authorization). Applicants are to fill out the Master Conditions on Covered Activities Checklist (Appendix E and to be provided as Attachment 4 in the PCCP/CARP Application) to demonstrate how avoidance and minimizations measures meet these criteria.
- A stormwater pollution prevention plan or other document describing what methods will be used to ensure good water quality downstream from the construction site. This information must provide a detailed description of applicable project-specific avoidance and minimization measures showing the location of all erosion control fences and other barriers.
- A plan for restoring the construction site with vegetation, which includes the measures that will be used to prevent erosion until the site is revegetated. If the project site is a natural area, only native plant material may be used unless otherwise permitted by the local jurisdiction. Plant species listed on the California Invasive Plant Council's Invasive Plant Inventory Database shall not be planted in these areas. If trees and shrubs will be planted, the plan must include a planting diagram showing the location and species of all woody vegetation to be planted and method of irrigation. Restoring the work area is required and is not considered to be mitigation for project impacts. Monitoring may be required to ensure that the construction site restoration objectives are met.
- A description of best management practices (BMPs) that shall be utilized for the proposed project. Applicable required BMPs for Placer County are provided in Appendix B (see also CARP Section 4.7 and Appendix C-1).

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4.5 CEQA Integration

All discretionary projects processed by the County Project Leads that require PCCP compliance will also require some level of CEQA review. Whenever possible, the CEQA process will run concurrently with the permitting process described above and integrate the CARP's BMPs and mitigation measures into the final environmental document. This timeline may vary depending on the outcome of the analysis of impacts (e.g., traffic, air quality, noise, biology) and the level of environmental review required for the project (Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report). For projects statutorily or categorically exempt from CEQA, the PCCP review process will be the same as that required for projects subject to CEQA. The scale of effects may differ because projects are smaller and have fewer environmental impacts, but the application requirements for a HCP/NCCP take authorization or authorization to impact an aquatic resource through the CARP are the same as those described in Chapter 2 of this manual.

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Chapter 5
Determining Area of Effect

5.1 Natural, Semi-natural, and Agricultural Communities

The PCCP application must specify the number of acres affected for each of the following natural, semi-natural, and agricultural communities. The area of effect for these natural communities is defined as the area converted to another land cover type, such as developed land. If urban communities such as urban riparian, urban woodland, and urban wetland contain special habitats (e.g., wetlands, elderberry shrubs), effects must also be quantified. No indirect effects are assessed or tracked for these communities.

- Vernal Pool Complex
- Grassland
- Aquatic/Wetland Complex
- Riverine/Riparian Complex
- Oak Woodland
- Valley Oak Woodland
- Rice & Field Agriculture
- Orchard and Vineyard Agriculture

The PCCP application must differentiate between permanent and temporary effects. Temporary effects are defined as effects that persist for less than one year. Projects with temporary effects will return habitat to pre-project conditions within one year of groundbreaking.

5.2 Vernal Pool Wetlands

In addition to quantifying direct effects on vernal pool complexes (Section 5.1, above), the PCCP application must quantify direct and indirect effects on each of the following three constituents of vernal pool wetlands:

- Vernal pools,
- Seasonal wetlands in vernal pool complexes, and
- Seasonal swales in vernal pool complexes.

The emphasis should first be to avoid direct and indirect effects on vernal pool wetlands, as described in Section 7.3 under *Community Condition 1.1, Avoidance of Vernal Pool Complex*

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Constituent Habitat). If effects are unavoidable, the applicant must identify and quantify the areas of direct and indirect effects on vernal pool wetlands as defined below.

- Direct effects: The entire delineated wetland area of a vernal pool wetland feature is considered directly, permanently affected, even if only a portion of the feature is directly disturbed or altered.

- Indirect effects: The indirect effects include any wetted area of a vernal pool wetland whose immediate watershed is altered by ground disturbance. "Immediate watershed" refers to the area around an aquatic feature with a hydrologic connection to the aquatic feature. The default buffer for vernal pool constituent habitats is a 250-foot surrounding buffer. The watershed may be determined to be smaller than the default distance based on a field analysis of terrain and the presence of hydrologic barriers. Where the terrain has a defined gradient and the subject wetland has a defined outlet, the area more than 50 feet downslope from the wetland may be excluded from the immediate watershed. If a project applicant can demonstrate that the constituent habitat is hydrologically isolated from the area of ground disturbance, then no indirect effect will be assessed.

  Where ground disturbance encroaches on the immediate watershed of vernal pool constituent habitat, the County Project Lead will treat that wetland area as indirectly affected. The qualified biologist must evaluate any vernal pool constituent habitat that falls within 250 feet from the edge of the project footprint for potential effect. Required measures differ depending on whether the indirectly affected wetland is on or off the project site:

  Onsite: Any portion of the vernal pool wetlands indirectly affected *within the project boundary* will be subject to *Special Habitat, Vernal Pool Constituent Habitat, and Immediate Watershed Impact Fee*, described in Chapters 6 of this user's guide. In most cases, the project boundary will follow the outermost property lines around the area with Covered Activities that require a land conversion authorization. For linear infrastructure projects or other projects that cross multiple property lines, all indirect effects will be treated as onsite if the area of ground disturbance is within 250 feet of a vernal pool constituent habitat.

  Vernal pool wetlands for which an applicant pays fees for indirect effects will still be subject to direct effect fees in the future, if and when they are directly disturbed by future projects.

  Offsite: Any portion of the vernal pool wetlands indirectly affected *outside the parcel boundaries* will not be subject to fees, but the PCA will need to track this effect, therefore the acres of effect must be identified in the application.

The wetland perimeter for both direct and indirect effects on vernal pool wetlands will be based on the wetland delineation for aquatic features (see Chapter 4 of this User's Guide). If an affected wetland crosses a property boundary where ground access required for a wetland delineation is not available, the wetland perimeter of the portion of the wetland which falls outside of the project site will be based on aerial photography, LiDAR data, or other techniques approved by the PCA.

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5.3 Non-vernal Pool Wetlands

The PCCP application must quantify direct and indirect effects on each of the following three constituents of non-vernal pool wetlands (also termed *aquatic/wetland complex constituent habitat*):

- Fresh emergent marsh,
- Lacustrine, and
- Non-vernal pool seasonal wetlands.

As described in Section 7.3 of this user's guide, project applicants must comply with Community Condition 1.3, *Wetland Impact Minimization Measures* to avoid effects on non-vernal pool wetlands where possible. The Program Biologist will evaluate effects on non-vernal pool wetlands in instances where the project does not fully avoid the non-vernal pool wetland and buffer. The buffer area is determined on a case-by-case basis and will vary by project based on the sensitivity and vulnerability of the avoided wetland. Project impacts on an entire wetland may be assessed under the PCCP if only a portion of the aquatic resources is affected (permanently or temporarily). The Program Biologist will make a final determination regarding avoidance or level of impact.

The project applicant must evaluate all nearby aquatic features (both on the project parcels and on adjacent parcels). In some cases, access to determine the extent of aquatic features—and therefore the extent of impact —is not allowed. In such cases, a qualified biologist will determine the extent of adjacent aquatic features using available resources, including current aerial photos and baseline data information provided by the PCA and will apply best efforts to assess the extent of the adjacent aquatic feature visually from areas of allowable site access.

5.4 Riverine/Riparian

The applicant must identify and quantify both direct and indirect effects on riverine/riparian habitat. The directly affected area is the area of riverine/riparian habitat that overlaps with the ground disturbance area. The indirectly affected area is all riverine/riparian habitat within 50 feet of the ground disturbance area. The applicant must differentiate between indirect effects inside and outside the Stream System (Section 5.6, below), because indirect effect fees for riverine/riparian will only apply outside the Stream System.

5.5 Valley Oak Woodlands

The applicant must identify and quantify both direct and indirect effects on valley oak woodlands that cannot be avoided as described in Section 7.3 under *Community Condition 3, Valley Oak Woodland Avoidance, Minimization, and Mitigation*. The directly affected area is the

area of valley oak woodland that overlaps with the ground disturbance area. The indirectly affected area is valley oak woodland within 50 feet of the ground disturbance area[7].

5.6 Stream System

The applicant must identify and quantify all ground disturbance that would encroach on the Stream System. The Stream System is the stream channel (wet or dry) and the surrounding area including any area subject to flooding in a 100-year event as determined by the FEMA or project specific information; whichever is more accurate, or the outermost limit of a variable-width boundary measured outward from the edge of the OHWM. Stream System mapping is described in Chapter 3 of this user's guide under *Box D, Stream System and Salmonid Streams.*

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[7] Note that the County's tree ordinance addresses impacts to protected root zones, therefore, the affected area would not just be based on the limits of the woodland canopy, but the critical root zones.

6.1 Exemptions from Fees

CDRA will determine whether an activity is exempt from fees as it processes applications and follows the procedures set forth in this guide. For non-CDRA departments that have projects that are Covered Activities, those departments should consult with CDRA staff regarding the potential for a fee exemption.

Fee exemptions fall into the following two categories.

- Projects approved prior to fee adoption: The development fees do not apply to projects that were approved by the County prior to the adoption of the PCCP (September 1, 2020). For such previously approved projects, development fees will be required only for project modifications that require subsequent, additional approvals resulting in land conversion or effects on special habitats not previously approved by the Permittees or otherwise not previously subject to permits issued by the state and federal regulatory agencies.

Conservation actions: Implementation of conservation actions described in the HCP/NCCP's conservation strategy are exempt from all development fees.

6.2 Types of Fees

Land Conversion Fee

Land conversion refers broadly to an activity or process that results in the permanent conversion of a natural or semi-natural land cover to an urban, suburban, rural residential, or other artificial, built-up, or otherwise non-natural condition that requires a land conversion authorization from Placer County. The land conversion authorization does not apply when one natural or semi-natural land-cover type is converted to another natural or semi-natural land-cover type (e.g., vacant land converted to rice fields). It also does not apply to a change in agricultural crop type, which is not a Covered Activity addressed by the Plan. The land conversion fee is based on HCP/NCCP mitigation costs for Covered Species and natural communities (excluding costs associated with special habitat fees as described below) and is adjusted annually by the PCA. If a land conversion authorization is not required from Placer County, the land conversion is not a Covered Activity and is not addressed by the PCCP. For example, minor activities that do not require a construction permit such as sign permits and projects entitled on managed water or urban land cover types are not considered Covered Activities subject to Plan requirements. Other activities such as a general plan amendment that intensifies the land use in the Valley or Foothills Conservation and Rural Development Areas are also not Covered Activities and must apply for take authorization outside the coverage provided by the PCCP. In general, activities not covered fall into two general categories: minor

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ministerial projects that are not expected to result in adverse effects to Covered Species and large projects that are expected to result in adverse effects beyond those identified in the PCCP.

In most instances, land conversion fees on Covered Activities will be assessed based on parcel area or the footprint of the project (see *Land Conversion Fee Schedule* **link will be on website**). For most residential projects there is an additional fee assessed per dwelling unit. Fees for Covered Activities will be assessed based on the parameters described in Section 6.4, *Collection and Timing of Fees*.

In the Valley, the fees will be applied when projects affect natural, semi-natural, and agricultural communities. These communities include the following land-cover types:

- Grassland
- Vernal Pool Complex
- Aquatic/Wetland Complex
- Riverine/Riparian Complex
- Oak Woodland
- Valley Oak Woodland
- Rice Agriculture
- Field Agriculture
- Orchard and Vineyard Agriculture
- Rural Residential

In the Foothills, the fees will also apply to projects that affect natural, semi-natural, and agricultural communities. These communities are the same as those listed above with the exception of Rice Agriculture, which does not occur in the Foothills.

For smaller development projects in the Foothills that are not covered, an Open Space and Fire Hazard Management Fee (Article 19.30 of Placer County Code) will be assessed on a per dwelling unit basis for residential projects, and for non-residential projects in urban (non-natural) communities this fee will be based on the area of the parcel.

In the Valley and Foothills, the land conversion fee will not apply to ground disturbance in urban (non-natural) communities except if a special habitat fee applies. Special habitat fees will apply to any ground disturbance in any one or more of the seven areas described in the *Special Habitat Fee* section below (see Table 6-2, *Communities and Land-cover Types*, for a list of natural communities and their associated land-cover types). These funds will be used for the restoration and enhancement activities described in Table 6-3 below. Figure 6-1 below depicts the Valley/Foothill divide for the land conversion fees and the location of Plan Areas A and B.

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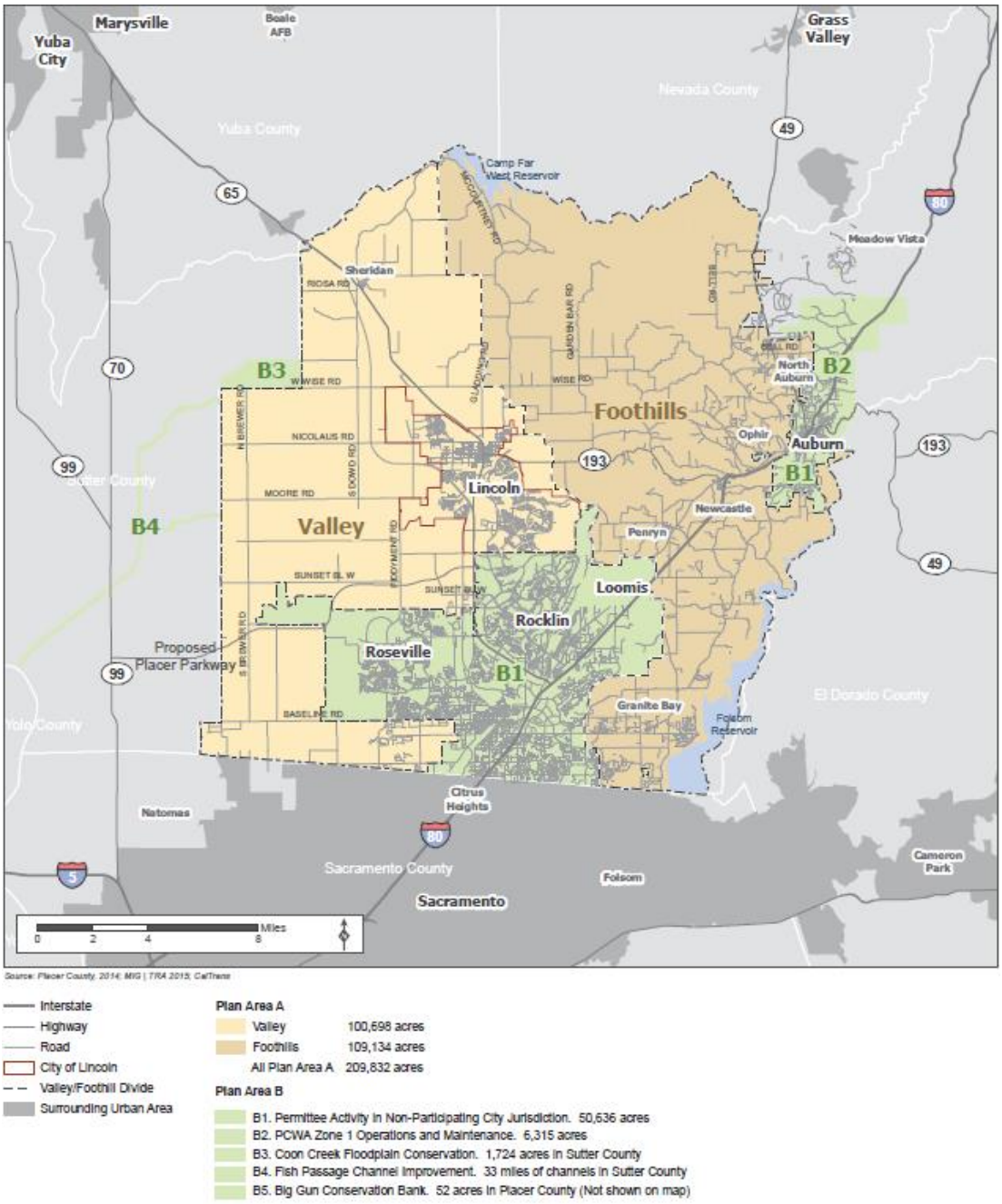
Figure 6-1. PCCP Plan Areas: Valley/Foothills and Plan Area A and B



For projects where fees are based on the entire parcel, the project applicant can demonstrate portions of the parcel will be fully avoided and thus will not incur a fee. See Section 7.2, *General Conditions*, for examples, especially General Condition 3. Examples include multi-phase projects where conditions limit development to the current phase, projects with areas encumbered by conservation easements and other permanent protections mechanisms approved by the County, projects with a small development footprint within one or more large parcels, and projects with land dedications that conserve habitat. Fees will not be levied on lands that are completely avoided.

The land conversion fee is usually based on the entire subject parcel area and for certain residential Covered Activities it also includes a per-dwelling unit component. There will be circumstances, particularly with smaller Covered Activities on large parcels, where the land conversion fee will not apply to the entire area of the parcel. For example, low density rural residential development (e.g., the Farm or the Residential-Agriculture zone districts) land conversion fees apply only to the development footprint of the Covered Activity and not the area of the parcel. Rural residential development includes structures or activities that are appurtenant or accessory to rural residential uses and activities (e.g., a 5,000 square foot or larger storage building or garage) or structures that support rural nonresidential land uses (e.g., a large commercial greenhouse). (See section 6.3.1.3.2 of the HCP/NCCP *Permanent Effect Avoidance for Low Density Rural Development*). The following exceptions apply to the land conversion fees:

- Open space set aside on a portion of a project in the Plan Area within the PFG (Components A1 and A3) may be excluded from the land conversion fee if consistent with requirements under General Condition 3, *Land Conversion* (see Chapter 7, *Conditions on Covered Activities*).
- Areas that were previously disturbed through authorized activities, non-covered activities or activities that occurred legally prior to plan adoption, provided they do not reveal disturbance during a baseline consistency determination.

See Section 6.4, *Collection and Timing of Fees*, for application of fees to multi-phase projects.

Table 6-1. Communities and Land-cover Types

Community Name	Land-cover Type
Natural Communities	
Grassland	Annual grassland
	Pasture
Vernal Pool Complex (VPC)	VPC – high density
	VPC – intermediate density
	VPC – low density
Aquatic/Wetland Complex	Marsh Complex
	Pond
Riverine/Riparian Complex	Riverine/riparian
Oak Woodland	Blue oak woodland
	Foothill chaparral
	Interior live oak woodland
	Mixed oak woodland
	Oak-foothill pine woodland
	Oak savanna
	Rock outcrop
Valley Oak Woodland	Valley oak woodland
Semi-natural Communities	
Rice Agriculture	Rice
Field Agriculture	Alfalfa
	Cropland
	Eucalyptus

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Community Name	Land-cover Type
Other Agriculture	
Orchard and Vineyard Agriculture	Orchard Vineyard
Urban (Non-natural) Communities	
Managed Open Water	Canal Reservoir Urban open water
Rural Residential	Rural residential Rural residential forested
Urban	Urban and suburban Urban golf course Urban park Urban riparian Urban wetland Urban woodland Barren/industrial Road

Special Habitat Fee

Public and private project proponents are required to map constituent habitat as defined in the HCP/NCCP (i.e., vernal pool constituent habitats, aquatic/wetland habitats, riverine/riparian habitats), salmonid streams, and the Stream System. Public and private project proponents that affect these land-cover types will be required to pay one or more of the applicable special habitat fees in addition to the land conversion fee.

The special habitat fees include the following:

- 4a Vernal Pool Effects (Direct Effect)
- 4b Vernal Pool Immediate Watershed Effects (Indirect Effect)
- 4c Aquatic/Wetland (Direct Effect)
- 4d Riverine/Riparian (Direct Effect)
- 4e Riverine/Riparian Buffer (Indirect Effect)
- 4f Stream System Encroachment (Direct Effect)
- 4g Salmonid Stream Channel (Direct Effect)

The fees for special habitats are calculated by multiplying the applicable fee by the amount of effects on the constituent habitat or Stream System (*Chart of Effects and Development Fees*). All special habitat fees are calculated per acre except the salmonid stream channel fee, which is calculated per linear foot of stream impacts. The vernal pool fees (4a and 4b) are applied to the entire wetted area even if only a portion of the wetted area is affected by a Covered Activity.

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Table 6-2. Chart of Effects and Development Fees

Effects Mitigated by Fee	Area Subject to Fee	Applicable Fee[a]
Land Conversion Fee		
Land conversion of natural, semi-natural, and other agricultural communities	Project/parcel area except approved avoided lands, and activities entirely within managed water or urban land cover types including existing development and disturbed areas[b] (See also Section 5.1)	Land conversion fee (fees 1a through 3c)
Vernal Pool Special Habitat Fees		
Direct effects of covered activities on vernal pool constituent habitats (HCP/NCCP Table 5-4)	Wetted area[c] altered by ground disturbance. The entire delineated wetland area is considered affected even if only a portion is converted.[f] (See also Section 5.2 of this user's guide)	Vernal pool direct effects fee (fee 4a); paid in addition to the land conversion fee
Indirect effects of covered activities occurring within the immediate watershed of onsite vernal pool wetlands.[e] (HCP/NCCP Tables 4-4, 4-5)	The delineated area of a vernal pool constituent habitat whose immediate watershed[d] is altered by ground disturbance. If the wetted area is directly affected the vernal pool direct effects fee applies. (See also Section 5.2 of this user's guide)	Vernal pool immediate watershed effects fee (fee 4b); paid in addition to the land conversion fee; no temporary effects fee
Aquatic/Wetland Special Habitat Fee		
Direct effects of covered activities on non-vernal pool wetlands (HCP/NCCP Table 5-4)	Wetted area of non-vernal pool wetlands altered by ground disturbance. The entire delineated wetland area is considered affected even if only a portion is converted[f] (See also Section 5.3 of this user's guide.)	Aquatic/wetland fee (fee 4c); paid in addition to the land conversion fee
Riverine and Riparian Special Habitat Fees		
Direct effects of covered activities on riverine/riparian constituent habitats (HCP/NCCP Table 5-4)	Area of riverine/riparian constituent habitat altered by ground disturbance[f] (See also Section 5.4 of this user's guide)	Riverine/riparian fee (fee 4d); paid in addition to the land conversion fee
Indirect effects of covered activities on riverine/riparian constituent habitat outside of the Stream System	Area of riverine/riparian constituent habitat within 50 feet of land altered by ground disturbance when such habitat is located outside the Stream System Boundary (See also Section 5.4 of this user's guide)	Riverine/riparian buffer fee (fee 4e); paid in addition to the land conversion fee; no temporary effects fee

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Effects Mitigated by Fee	Area Subject to Fee	Applicable Fee[a]
Direct effects of covered activities which encroach into the Stream System (HCP/NCCP Table 5-4)	Area of Stream System altered by ground disturbance and not subject to a separate special habitat fee[f]	Stream System encroachment fee (fee 4f); paid in addition to the land conversion fee; no temporary effects fee
Direct effects of salmonid stream channel alteration (HCP/NCCP Tables 4-7A, B)	Linear extent (feet) of salmonid stream channel habitat altered by ground disturbance	Salmonid stream channel fee (fee 4g); paid in addition to the land conversion fee and any other special habitat fees; no temporary effects fee

[a] Except where noted, Covered Activities that otherwise would be subject to the Land Conversion Fee or special habitat fee, but for their temporary effect, pay a temporary effect fee (see Section 9.4.1.5, *Temporary Effect Fee*, for details).

[b] See HCP/NCCP Chapter 6, *Program Participation and Conditions on Covered Activities*, particularly Section, 6.3.1.3, *General Condition 3, Land Conversion*, for avoidance criteria. The Land Conversion Fee is also applied per dwelling unit in the Foothills subarea of Plan Area A. In certain circumstances the fee may be calculated based on area of disturbed land rather than total parcel area. See Table 9-6, *Land Conversion Fee Schedule*.

[c] "Wetted area" refers to the delineated area of a vernal pool constituent habitat.

[d] "Immediate watershed" refers to the area around an aquatic feature with a hydrologic connection to the aquatic feature. The default buffer for vernal pool constituent habitats is a 250-foot surrounding buffer. See HCP/NCCP Section 6.3.2.1.1, *Community Condition 1.1, Avoidance for Vernal Pool Constituent Habitat Wetlands*.

[e] Onsite vernal pool constituent habitat that is not altered by ground disturbance may be subject to the Vernal Pool Immediate Watershed Effects fee (fee 4b) when ground disturbance activities or significant changes in hydrology are located in close proximity to the constituent habitat. If the ground disturbance and change in hydrology occurs in a downstream or down-gradient location within 50 feet of the edge of a constituent habitat, the immediate watershed effects fee 4b will apply. If the ground disturbance or change in hydrology occurs in an upstream or up-gradient location within 250 feet of the edge of a constituent habitat, the Vernal Pool Immediate Watershed Effects fee 4b will apply. If a project applicant can demonstrate that the constituent habitat is hydrologically isolated from the area of ground disturbance, the immediate watershed effects fee will not apply. For application of the two fees for vernal pools (direct effects and immediate watershed effects), refer to the HCP/NCCP Table 9-5, Chart of Effects and Development Fees, and Community Condition 1.1, Avoidance of Vernal Pool Complex Constituent Habitat in this User's Guide.

[f] Except for the salmonid stream channel fee (fee 4g), special habitat fees do not overlap. The Stream System Encroachment fee (4f) will apply to ground disturbance within the Stream System wherever another constituent habitat fee (4a, 4c, or 4d) does not apply. The Vernal Pool Immediate Watershed effects fee (fee 4b) will only apply to vernal pools not subject to the direct effects fee (4a). The Riverine/Riparian Buffer fee (fee 4e) only applies outside the Stream System to areas within 50 feet of riverine/riparian constituent habitat.

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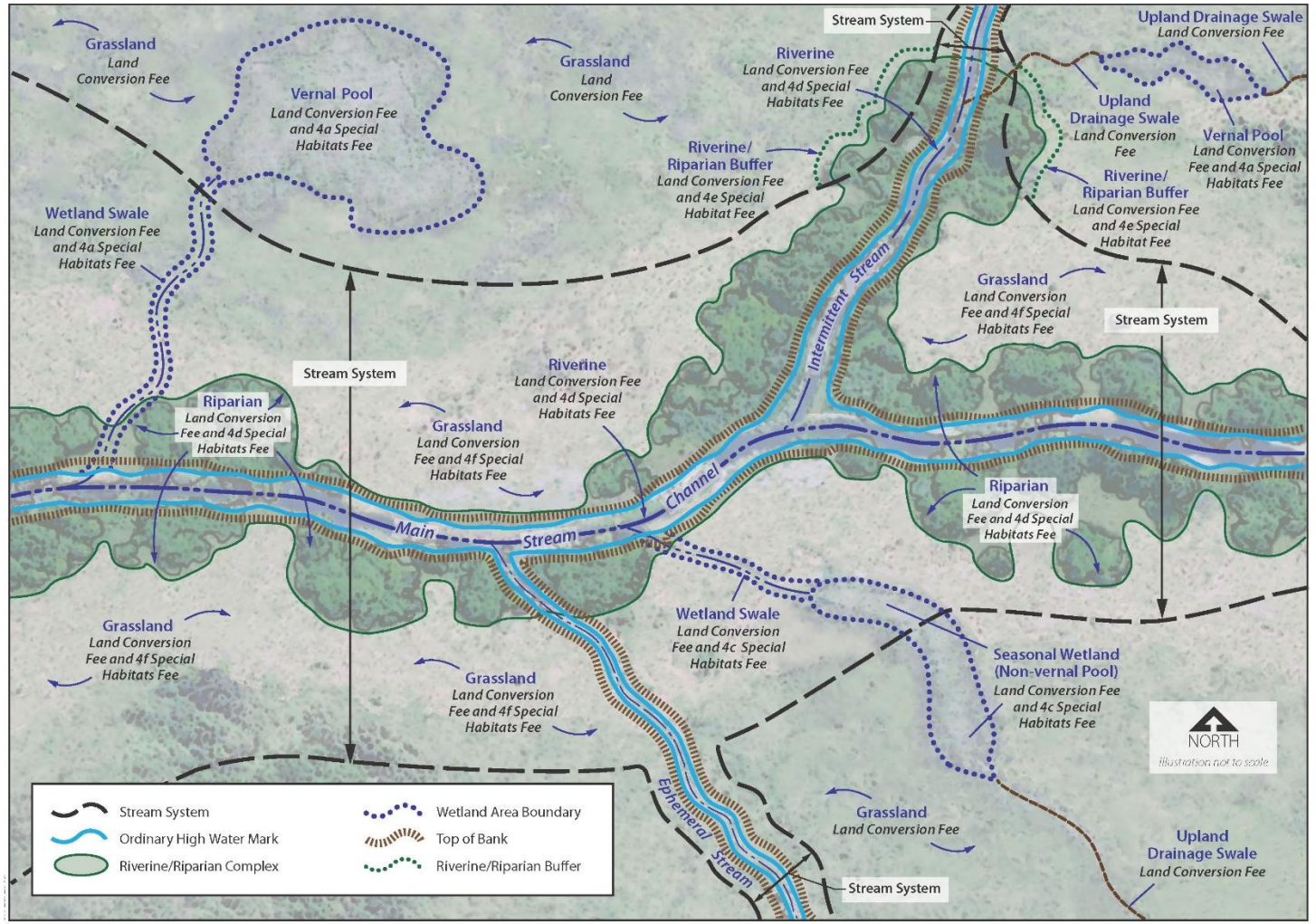
Figure 6-2. Application of Special Habitat Fees



NOTES: *1) The development fees are found in Table 9-6 for the Land Conversion Fee and Table 9-7 for Special Habitat Fees.*
2) The figure does not include the 4b Vernal Pool Immediate Watershed Effects special habitat fee that applies to vernal pool constituent habitat indirectly affected by land conversion within the immediate watershed and is paid in addition to the land conversion fee.
3) The figure does not include the 4f Salmonid Stream Channel special habitat fee that applies to linear feet of direct effects in a salmonid stream channel and is paid in addition to the land conversion fee and any other special habitat fee such as fee 4d Riverine/Riparian.

Mitigation within the Stream System and Adjoining Areas

Temporary Effect Fee

Some Covered Activities result in temporary effects. Covered Activities that otherwise would be subject to the land conversion fee or special habitat fee pay a temporary effect fee if the effect is temporary as defined. To qualify as a temporary effect, restoration must be completed within 1 year of breaking ground. The temporary effect fee is based on the amount of the land conversion or special habitat fee that would otherwise apply, with the fee reduced to reflect the temporal aspect of the effect.

Examples of permitted temporary effects include routine maintenance in stream channels for flood control, maintenance along roadsides for highways, and short-term disturbance of the landscape for a linear infrastructure project such as a pipeline. Most construction projects will not qualify as temporary effects due to their size and their level of land disturbance, which usually cannot conform to the required 1-year time frame for completed restoration. For more information on temporary effects, see Section 7.2, *General Condition 4, Temporary Effects*).

Projects subject to the temporary effect fee for land conversion or special habitat will pay associated fees in one of two ways, as selected by the applicant:

- For activities that will occur once or infrequently, the project proponent will pay a fee equal to 2 percent of the land conversion fee that would otherwise apply to that project footprint for each year in which the activity occurs. Two percent represents 1 year out of the 50-year permit term. Failure to complete the project and return the site to pre-project conditions within 1 year of groundbreaking due to delays in construction or for any other reason will result in application of the full land conversion fee.
- For activities that meet the technical requirement of restoration within 1 year but occur frequently, the project proponent may elect to pay a one-time fee equal to 100 percent of the land conversion fee that would otherwise apply to that project footprint. This fee covers repeated implementation of the activity over the entire 50-year permit term.

Temporary effects that occur in the same location repeatedly during the permit term and that pay the full land conversion fee will be counted and tracked as a permanent effect. Temporary effect fees paid on a site can be credited toward any permanent effect fees that may be required on the same affected area in the future.

All or a portion of the temporary effect fee can be waived in exchange for land dedication, based on the nature of the effect. The amount waived will be determined by the PCA on a case-by-case basis according to the rules and principles described in *Land Provided in Lieu of Development Fees* under Section 6.5.

Temporary effects that occur within certain special habitats also will be assessed a temporary effects fee according to the formula shown above but will be based on the applicable special habitat fee (see HCP/NCCP Table 9-7). The special habitats that require the payment of a temporary effects fee include the following:

- Vernal Pool Direct Effects (4a)
- Aquatic/Wetland (4c)

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- Riverine/Riparian (4d)

Applicants have the option of developing and implementing their own wetland restoration or stream enhancement project in lieu of all or a portion of the temporary special habitat fee. If the applicant's restoration or enhancement plan is approved by the PCA and any applicable state or federal agency (e.g., USACE), then no temporary wetland effect fee is required (for more detail see HCP/NCCP Section 8.7.2, *Restoration or Creation in Lieu of Special Habitat Fees*). The PCA will verify that the applicant's wetland restoration or stream enhancement project is constructed according to specifications and that the project meets its success criteria.

Several Covered Activities will not be assessed a temporary effects fee including the following:

- Projects with effects less than 0.10 acres in area except for effects on wetlands and streams
- Conservation actions such as wetland, stream, or riparian restoration projects
- Sediment removal in artificial off-channel detention basins or groundwater recharge facilities when free of vegetation
- Tree trimming and other similar activities occurring in non-natural communities such as urban land-cover types

6.3 Periodic Fee Adjustments

The dynamic nature of the costs associated with HCP/NCCP implementation, including land acquisition costs and operation, maintenance, and management costs, requires a flexible approach to funding through time. The HCP/NCCP includes two mechanisms for adjusting fee levels: automatic adjustments and periodic assessments. The PCA will perform adjustments, with periodic assessments performed in coordination with the Wildlife Agencies. Results will be provided to all Permittees.

Automatic Adjustment of Fees

The two primary costs of the HCP/NCCP—land acquisition and operations/maintenance—will most likely change at different rates over time. Land acquisition costs can fluctuate on an annual basis at rates significantly different from the general inflation rate. Other HCP/NCCP costs, including the cost of personnel, supplies, and equipment involved in managing, operating, restoring, and maintaining the Reserve System, will more closely follow the general rate of inflation. To account for these differing fluctuations, the PCA will update the development fee automatically on an annual basis on a date determined by the PCA. The PCA will determine the date within the first 6 months of Plan implementation based on the indices and procedures described in Table 6-4, *Development Fee Adjustment Indices*.

The variation in land costs are due to site-specific factors that are difficult to develop as indices; consequently, no such indices are available. However, the American Society of Farm Managers and Rural Appraisers (ASFMRA) publishes annual estimates of agricultural land values that can be used to identify trends in the cost of land. The index to be used to adjust the land acquisition cost portion of fees will be developed by the PCA based on the most recent data available for

western Placer County and published by ASFMRA in their annual report, *Trends in Agricultural Land and Lease Values*.

The PCA will use the Consumer Price Index from the U.S. Bureau of Labor Statistics to adjust the non–land cost portion of fees. The U.S. Bureau of Labor Statistics does not have an index specific to the Sacramento metropolitan area; therefore, the PCA may use the index for the West Region.

The PCA may decide to use other indices during Plan implementation instead of either ASFMRA data or Consumer Price Index if other indices better predict the costs of implementing the HCP/NCCP.

Table 6-3. Development Fee Adjustment Indices

Fee / Cost Component	Initial Index Weight[a]	Annual Adjustment Index
Land Conversion Fee		
Land Acquisition Costs[b]	33%	Annual changes in land values in western Placer County based on the most recently available data for comparable land cover types as published by the American Society of Farm Managers and Rural Appraisers in their annual report, *Trends in Agricultural Land and Lease Values*.
All Other Plan Costs	67%	Consumer Price Index - All Urban Consumers change for the most recent 12-month period for the West Region or comparable metropolitan area.
Total	**100%**	
Special Habitat Fee		
All Costs	100%	Same index as land conversion fee for "All Other Plan Costs."

[a] Index weight based on estimated sources and uses of land conversion fee revenue over entire permit term. As the reserve is assembled these ratios may change and should be recalculated as part of the 5-year periodic adjustment

[b] Fee title and conservation easement acquisition costs only. Excludes all other costs associated with reserve assembly transactions such as staff costs, pre-acquisition surveys, due diligence, legal costs, and other capital costs such as fencing and site improvements.

Periodic Assessment and Adjustment of Fees

Every 5 years, the PCA will complete a fee assessment in coordination with the Wildlife Agencies to review the costs and the underlying assumptions the PCA developed as part of the original funding plan, as well as estimate the remaining costs to implement the HCP/NCCP. The review could include comparing appropriate land sales in the Conservation and Rural Development Components of Plan Area A transacted after the start of the HCP/NCCP, as well as wetland restoration and stream enhancement costs, with the original land cost assumptions (see HCP/NCCP Appendix L, *Cost Model and Assumptions*). The PCA will also compare the actual costs of operating the Plan and maintaining, managing, and monitoring the Reserve System to the original estimates of these costs to determine the actual change in all costs other than land acquisition. Finally, the PCA will review development densities, specifically dwelling units and parcel acreage subject to the fee compared to direct effects subject to permit limits and will adjust the fee as necessary to fully fund the mitigation costs associated with that fee. The PCA

will adjust fees based on this analysis to ensure full funding of the mitigation share of remaining HCP/NCCP costs, including endowment contribution and Plan preparation. Automatic annual fee adjustments will resume after the periodic fee assessment and will continue until the next periodic assessment.

6.4 Collection and Timing of Fees

The County will collect all fees paid by private applicants and transfer these fees to the PCA on a regular basis, at least twice annually.

All fees paid by the Permittees for their own Covered Activities will be similarly collected and transferred to the PCA according to the same process and schedule developed by the PCA for fees from private applicants.

Land Conversion Fees Applied Per Acre Only

For land conversion fees only applied on a per acre basis (fee categories 1a, 1c, 2b, 2e, 3a, 3b, and 3c in Table 6-1, *Land Conversion Fee Schedule (August 2020)*), the fee obligation will be due at the first applicable step in the project approval process that results in ground disturbance depending on which one occurs first (not all projects require all steps).

- Grading permit or Stream System Grading Permit issuance
- Improvement plan approval
- Building permit issuance
- Any other final action for a Covered Activity that authorizes an action that will result in an adverse effect on a Covered Species or its habitat.

Except as provided for in *Private Applicant Option to Pay Fees with Special Tax or Adjustment District*, described in Section 6.5, if a development project requires either a grading permit or improvement plan and also requires a building permit then the applicant could make an initial payment at the grading permit or improvement plan step and subsequent payment(s) at building permit issuance. Similarly, if site improvements are deferred through an agreement with Placer County (e.g., parcel map improvement agreement), the fees may be paid at a future date when the actual ground disturbance occurs. With the exception of a deferral agreement, any such splitting of fee payments will require the following:

- The initial payment equals no less than 50 percent of the total fee obligation and is thereby sufficient to fund one-time costs associated with reserve acquisition, post-permit endowment, and plan preparation costs as determined by the PCA (securing this share of the total fee obligation concurrent with initial effects).[8]

[8] The portion of the total land conversion fee obligation associated with reserve acquisition, post-permit endowment, and plan preparation costs is approximately 42 percent of the total fee obligation at time of Plan adoption.

- Subsequent payment(s) equal no more than 50 percent of the total fee obligation and thereby limited to funding ongoing operating costs during the permit term.
- Each subsequent payment is based on the fee schedule in effect at time of the subsequent payment (not the fee schedule in effect at the time of the initial payment).

The County must financially guarantee to the PCA that the entire fee obligation is paid within 3 years from the date of the initial fee payment (and the County may enforce a similar obligation on the applicant).

The County will allocate the remaining fee obligation by parcel. The remaining fee obligation for each parcel will be due when the first building permit is issued for that parcel. A single development entity can make a lump sum fee payment on some or all parcels where a partial fee payment is due. The County will track fee payments and re-allocate the remaining fee burden as necessary during project development to ensure full funding of the fee obligation upon issuance of all building permits[9].

For development projects with common areas such as parks subject to development fees but not subject to future building permit issuance, the entire fee obligation associated with this acreage will be due at grading permit or improvement plan approval.

For projects with multiple phases, the fee for each phase is due at the time of issuance of grading permits, improvement plans, or building permits as described above. Backbone infrastructure improvements that serve more than one phase on multi-phase projects will pay fees at grading permit issuance or improvement plan approval regardless of the number of future phases served by the infrastructure. A developer of a multi-phase project may pay in advance for all effects identified in CEQA/NEPA documents and the project entitlement(s).

Fees on low-density rural development that only include structures or activities that are appurtenant or accessory to rural residential uses and activities or structures that support rural non-residential land uses are applied based on the disturbed area. For example, an applicant subdividing a parcel and installing roads and other backbone infrastructure, but then selling finished lots, would pay the per acre fee based on the amount of land area disturbed. The subsequent home builder would pay the remaining fee obligation based on the total applicable fee minus a credit for any prior fee payment apportioned equally among all final lots.

Land Conversion Fees Applied Per Dwelling Unit and Per Acre or Per Dwelling Unit Only

For land conversion fees applied on a per acre and per dwelling unit basis (fee categories 1b, 2c, and 2d in Table 6-1, *Land Conversion Fee Schedule (August 2020)*), the total per acre component of the fee obligation will be due prior to issuance of the first permit that results in ground disturbance. The per dwelling unit fee component may be paid concurrent with the per acre component and will be due prior to issuance of the building permit for the dwelling. The

[9] When a fee is allocated to future projects/parcels, the affected parcels will be flagged in Accela, with a note indicating that PCCP fees are required, and specifying the amount of the fee. When a parcel is split/subdivided, the flag will be inherited by the resulting parcels.

category 2a fee is only applied per dwelling unit and therefore will be due prior to issuance of the building permit for the dwelling.

6.5 Alternatives to Paying Land Conversion and Special Habitat Fees

Wetland Restoration or In-stream Enhancement Provided in Lieu of Fee

Unlike the land conversion fee, special habitat fees cannot be waived in lieu of land dedication. Project proponents, however, have the option of restoring, managing, and monitoring their own wetland, stream, or riparian mitigation site (onsite or offsite) in lieu of paying all or part of the special habitat fee. For project proponent-initiated wetland, stream, or riparian mitigation (also known as permittee responsible mitigation), construction of a wetland restoration project will be initiated prior to construction of the Covered Activity; the mitigation will be consistent with the requirements of Chapter 7, *Conditions on Covered Activities*; the site will be protected and management and monitoring will be funded in perpetuity. Construction of all wetland restoration and stream enhancement projects must comply with the Stay Ahead provision of the HCP/NCCP.

Applicants may purchase appropriate wetland restoration credits in a mitigation bank in the Plan Area that has been approved separately by USFWS and CDFW to service the HCP/NCCP (see HCP/NCCP Section 8.4.7, *Private Mitigation and Conservation Banks*, for more details).

A landowner may seek to provide project proponent-initiated mitigation. Under this option, it is necessary to obtain the PCA's advance approval to perform wetland restoration or stream enhancement in lieu of paying the special habitat fee. The PCA will evaluate proposals to perform restoration in lieu of special habitat fees based, in part, on the history of the applicant or applicant's consultant performing successful wetland restoration elsewhere and whether the restoration project is consistent with the conservation strategy and requirements of the HCP/NCCP and ILF. Restored wetland features must also meet the reserve design and assembly criteria in Chapter 7, *Conditions on Covered Activities*. For the PCA to approve wetland restoration in lieu of fees, the local jurisdiction approving the project must ensure through conditions of approval that the restoration or creation will be implemented and remediated if success criteria are not met. In the case of a Permittee (County, City, PCWA, SPRTA) being the project proponent proposing the restoration in lieu of special habitat fees, the Permittee must sign an agreement with the PCA to provide this guarantee. After success criteria are met and the applicant assures funding, the land will be dedicated and the PCA will assume all management and monitoring responsibility of the restoration site as part of the Reserve System (also see HCP/NCCP Section 8.7.2, Restoration or Creation in Lieu of Special Habitat Fees). All land dedications to the PCA must meet the criteria for inclusion into the Reserve System described in Appendix F. If the restoration area cannot meet the criteria for inclusion into the Reserve System, the PCA will likely not authorize the project proponent-initiated restoration and the applicable special habitat fees will need to be paid.

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For projects with minimal impacts to aquatic resources that qualify for the USACE PGP, it is not possible to use mitigation banks or "permittee responsible" compensatory mitigation. The PGP requires instead that an applicant pay their PCCP development fees, and the PCA will apply those to the ILF. If an applicant wants to purchase mitigation bank credits or use a "permittee responsible" restoration project for mitigation, the applicant will need to process their authorization for a fill of aquatic resources through the LOP process at the USACE and not through the CARP or PGP.

Private Application Option to Pay Fees with Special Tax or Adjustment District

The PCA may allow private applicants to fund all or a portion of their development fees with a special tax or special assessment applied only to a specific project covered by the Plan. Private applicants may apply a special tax or assessment to their covered project by forming a community facilities district or a special assessment district to the extent allowed by the appropriate enabling statute. When used, this option would benefit the PCA as well as private applicants. Private applicants would benefit by reducing up-front costs. The PCA would benefit by receiving an ongoing stable source of revenue for operating costs instead of reliance on development fees and real estate cycles. As described below, any portion of the total fee obligation fee funded by an ongoing project-specific special tax or assessment and not fully funded immediately from bond proceeds is limited to that portion of the fee that will pay for ongoing operating costs such as administration, management, and monitoring. All other portions of the fee obligation must be paid according to the HCP/NCCP Section 9.4.1.8, *Timing of Development Fee Payment*.

One option is to pay the fee based on HCP/NCCP Section 9.4.1.8, *Timing of Development Fee Payment*, and then allow the private applicant to be reimbursed through bond proceeds upon formation of and issuance of bonds backed by the special district. The special tax or assessment is used to retire the bond debt over time. Under this approach the PCA would receive the fee obligation as determined by the HCP/NCCP Section 9.4.1.8, *Timing of Development Fee Payment*. The Permittee and private applicant would be responsible for arranging reimbursement through special district bond proceeds.

A second option is for a private applicant to pay the portions of the land conversion fee as those costs are incurred by the PCA (all special habitat fees must be paid according to HCP/NCCP Section 9.4.1.8, *Timing of Development Fee Payment*). The private applicant would pay a share of the total land conversion fee obligation sufficient to fund one-time costs associated with reserve acquisition, post-permit endowment, and plan preparation costs at the time the development fee is typically due (see HCP/NCCP Section 9.4.1.8, *Timing of Development Fee Payment*). For the remaining portion of the fee, the private applicant could form a community facilities district or special assessment district to pay the remaining share of the total fee obligation associated with ongoing operating costs during permit term. This approach ensures that the development fees are paid before or at the time that the effects occur and the PCA incurs the costs.

Certain special taxes and assessment may be used to fund public services. In the case of the PCA fee obligation, this funding would be used for PCA ongoing operating costs during the permit

term.[10] Securing payment of the fee obligation in this manner is the only way to extend payment beyond building permit issuance as described in HCP/NCCP Section 9.4.1.8, *Timing of Development Fee Payment*. This option requires that the portion of the fee obligation funded with an ongoing special tax or assessment meet the following requirements.

- Must not be greater than 50 percent of the total fee obligation and thereby limited to funding ongoing operating costs during the permit term
- Must exclude the shares of the total fee obligation associated with reserve acquisition, post-permit endowment, and plan preparation costs that would be due pursuant to HCP/NCCP Section 9.4.1.8, *Timing of Development Fee Payment*
- Must be levied in a substantially equal annual amounts plus adjustments to reflect changes in costs calculated pursuant to HCP/NCCP Section 9.4.1.7, *Adjustment of Development Fees*
- Must fully retire the outstanding fee obligation prior to the end of the permit term
- Must be backed by a guarantee by the Permittee with jurisdiction over the project to the PCA providing that, if the special district fails for any reason to fund the outstanding fee obligation fully, the Permittee will pay the shortfall upon the failure of the special district[11]

The PCA must approve the use of this tool consistent with the Plan and the requirements above. For the County, any use of a special district would require the project applicant to apply to the Placer County Bond Screening Committee. The Bond Screening Committee's role is to advise and make recommendations to the Board of Supervisors on matters of assessment district and community facility district proceedings, including bonds, which may come before the Board of Supervisors. The Committee would have the authority to recommend funding of the fee obligation for approval by the Board of Supervisors in accordance with the Committee's adopted rules and procedures (most recently updated January 1, 2012).

Land Provided in Lieu of Development Fees

Basic Land Dedication Policy

Any public or private project proponent subject to the land conversion fee may propose dedication of land to the reserve in lieu of payment of a portion of the land conversion fee. Any land dedication in lieu of a fee obligation shall require a land dedication agreement with the PCA. The PCA and the project proponent must execute the agreement before commencement of Covered Activities to which the credit will be applied.

The land dedication agreement will specify the following terms:

- **Characteristics of dedicated land**: Identify the HCP/NCCP objectives based on the HCP/NCCP Section 5.3.1, *Conservation Measure 1: Establish Reserve System,* that will be met by inclusion of the lands proposed for dedication, including identification of the specific parcels to be dedicated. The landowner must allow access to, or fund surveys of, the lands

[10] The portion of the total land conversion fee obligation associated with ongoing operating costs is estimated to be 58 percent of the total land conversion fee obligation at time of Plan adoption.

[11] No California special district has ever failed to fund its obligations for ongoing public services.

to establish its conservation value. Also, the landowner may need to pay due diligence costs (e.g., Phase I or II environmental assessments) to ensure that the property is suitable to meet the Plan's objectives in perpetuity.

Amount of potential land dedication credits (expressed in acres): Determine how many potential land dedication credits are granted (one for each acre of land to be dedicated, based on the specific areas identified for dedication).

Conversion to approved land dedication credits (expressed in dollars): The project proponent may convert potential land dedication credits (expressed in acres) to approved land dedication credits (expressed in dollars) as the land proposed for dedication is transferred to PCA ownership. The project proponent may determine the timing of dedication in consultation with the PCA. The dollar amount of the dedicated land will be based on fair market value determined by a qualified appraisal (required when state or federal grant funding or public agency general funds are to be utilized).

Activation of approved land dedication credits in lieu of a land conversion fee obligation: The land dedication agreement will specify the specific Covered Activities that are eligible to activate approved land dedication credits in lieu of a fee obligation. Credits are activated only at the current minimum fee credit per acre of effect and not at any higher dollar amount unless the Agreement includes a land dedication incentive (see *Land Dedication Incentive Policy*). The minimum fee credit per acre of effect represents that portion of the land conversion fee that the PCA must allocate to land acquisition considering other funding sources that may be restricted to land acquisition only, such as state and federal grants. This share is estimated at 33 percent of the Valley land conversion fee, though this share may change during Plan implementation (see Table 5-4, above). The project proponent will pay the remaining fee obligation per acre to ensure that all other costs associated with project effects are fully funded as those effects occur. These other costs include (1) plan preparation reimbursement costs, (2) PCA costs during the permit term excluding land acquisition, and (3) post-permit term endowment contribution. The PCA will not incur any obligations under the permit for management and monitoring of dedicated lands until effects occur on lands against which a land dedication credit is activated.

Transfer of land dedication credits: Land dedication credits (dollar value) may only be used for Covered Activities specified in the land dedication agreement and may not be transferred to other Covered Activities.

Remaining dollar value of outstanding land dedication credits will be based on the value per acre used to establish the original dollar value of the credits and adjusted based on any annual or periodic adjustments to the land conversion fee schedule (see HCP/NCCP Section 9.4.1.7, *Adjustment of Development Fees*)

Agreement term: The land dedication agreement will include an expiration date that will apply to any potential land dedication credits and any approved land dedication credits that are not activated.

Land Dedication Incentive Policy

If land proposed for dedication is of sufficient conservation value to the reserve, the PCA may offer an incentive to the project proponent for the land dedication. The PCA shall determine the

conservation value of lands proposed for dedication based on the PCA's analysis of current reserve requirements and the role that the proposed lands will play in meeting those requirements. The land dedication incentive may include one or both of the following components that alter the basic land dedication in-lieu policy (see *Basic Land Dedication Policy, above*).

Activation of land dedication credits in lieu of a land conversion fee obligation: The PCA may allow land dedication credits in lieu of the land conversion fee obligation to be activated at higher than the minimum fee credit per acre of effect (modifying item 4 in *Basic Land Dedication Policy*). This incentive allows the project proponents to activate land dedication credits faster than would be the case under the land conversion fee obligation.

Transfer of land dedication credits: The PCA may grant an applicant the ability to transfer land dedication credits to Covered Activities other than those specified in the land dedication agreement (modifying item 5 in *Basic Land Dedication Policy*). This mechanism is a reasonable incentive particularly for applicants that have conservation lands with value that exceeds their own development fee obligations. The PCA may place an expiration date on the transfer of credits and require that all credit transfers be reported to the PCA to reliably track transferable credits and prevent credits from remaining a long-term liability to the agency.

The ability of the PCA to grant incentives for land dedication will depend on several factors, including the following.

- The PCA's ability to fund its obligations under the Plan based on its current and projected cash flow
- The maximum amount of land acquisition to be funded by the land conversion fee

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7.1 Introduction

The conditions listed here collectively provide regional and site-specific avoidance and minimization of effects on natural communities and Covered Species for the Placer HCP/NCCP. Not all conditions will apply to all activities. County Project Leads are responsible for reviewing project design, applying appropriate conditions, and ensuring compliance. This section does not include mitigation responsibilities, as the PCA is responsible for tracking effects and ensuring mitigation requirements are met.

The conditions fall into various categories:

- Planning surveys: Surveys that occur well ahead of construction (months to years) to inform construction design and timing, and to provide information necessary to complete the application.
- Preconstruction surveys: Surveys required within a relatively short timeframe prior to start of construction (e.g., days to weeks), to identify and avoid or minimize effects on Covered Species individuals.
- Avoidance buffers: Non-disturbance buffers established between construction and nearby natural communities or species. These buffers may be permanent (e.g., for wetlands) or temporary (e.g., for a nesting bird Covered Species during its nesting season).
- Construction monitoring: Monitoring of project construction by a qualified biologist to ensure avoidance and minimization measures are properly implemented.
- Best management practices: Other standard measures to minimize adverse effect on natural communities and Covered Species that may be affected by the project. Such measures may include erosion control measures, signage and fencing, or placement of lighting, among others.

For each condition, this chapter specifies the timing for implementation in two phases:

- Planning and application phase: This phase includes all project planning and preparation of the PCCP authorization application, up to the point where the project receives a PCCP Certificate of Authorization. Measures relevant to this phase include planning surveys, incorporation of avoidance buffers into project design, and design-related best management practices. During this phase, the applicant and their qualified biologist will identify natural communities and Covered Species that may require avoidance or minimization through project timing (e.g., timing construction for outside Swainson's hawk nesting season) and design (e.g., establishment of permanent avoidance buffers for California black rail), identify and quantify unavoidable effects, and develop other information necessary for completing the PCCP authorization application as described in Chapter 3, *PCCP Authorization Application.*
- Compliance phase: This phase includes implementation of all measures implemented after receipt of the PCCP Certificate of Authorization. Measures relevant to this phase include preconstruction surveys and, avoidance buffers. The PCCP Certificate of Authorization will

clearly identify measures the applicant must implement for the authorization to be considered valid.

7.2 General Conditions

General Conditions apply to all seven categories of Covered Activities: (1) Valley PFG, (2) Valley rural development, (3) Foothills PFG, (4) Foothills rural development, (5) regional public programs, (6) in-stream programs, and (7) conservation programs.

General Condition 1, Watershed Hydrology and Water Quality

Who must implement this condition? General Condition 1 applies to project applicants whose projects disturb 1 or more acres of soil or whose project disturbs less than 1 acre, but the project is part of a larger common plan of development that in total disturbs 1 or more acres.

When must the applicant implement this condition? The project applicant will implement this condition during the compliance phase, i.e., after receiving a PCCP Certificate of Authorization, and immediately prior to and during project construction. The PCCP Certificate of Authorization will specify the project-specific measures the applicant must implement for the PCCP Certificate of Authorization to be considered valid.

How must the applicant implement this condition: General Condition 1 requires that applicable projects comply with the *West Placer Storm Water Quality Design Manual* (Design Manual) (https://www.placer.ca.gov/DocumentCenter/View/1610/West-Placer-Storm-Water-Quality-Design-Manual-PDF) and the following BMPs.

1. When possible, vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas. When vehicle parking areas are to be established as a temporary facility, the site will be recovered to pre-project or ecologically improved conditions within 1 year of start of groundbreaking to ensure effects are temporary (see *General Condition 4, Temporary Effects*, for the process to demonstrate temporary effects).
2. Trash generated by Covered Activities will be promptly and properly removed from the site.
3. Appropriate erosion control measures (e.g., fiber rolls, filter fences, vegetative buffer strips) will be used to reduce siltation and runoff of contaminants into avoided wetlands, ponds, streams, or riparian vegetation.
    a. Erosion control measures will be of material that will not entrap wildlife (i.e., no plastic monofilament). Erosion control blankets will be used as a last resort because of their tendency to biodegrade slowly and trap reptiles and amphibians.
    b. Erosion control measures will be placed between the area of disturbance and any avoided aquatic feature, within an area identified with highly visible markers (e.g., construction and erosion-control fencing, flagging, silt barriers) prior to commencement of construction activities. Such identification will be properly maintained until construction is completed and the soils have been stabilized.
    c. Fiber rolls used for erosion control will be certified by the California Department of Food and Agriculture or any agency that is a successor or receives delegated authority during the permit term as weed free.

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d. Seed mixtures applied for erosion control will not contain California Invasive Plant Council–designated invasive species (http://www.cal-ipc.org/paf/) but will be composed of native species appropriate for the site or sterile non-native species. If sterile non-native species are used for temporary erosion control, native seed mixtures must be used in subsequent treatments to provide long-term erosion control and slow colonization by invasive non-natives.

4. If the runoff from the development will flow within 100 feet of a wetland or pond, vegetated storm water filtration features, such as rain gardens, grass swales, tree box filters, infiltration basins, or similar Low Impact Development (LID) features to capture and treat flows, shall be installed consistent with local programs and ordinances.

General Condition 2, Conservation Lands: Development Interface Design Requirements

Who must implement this condition? General Condition 2 applies when new infrastructure projects, and urban and rural development occur in or adjacent to Plan reserves, mitigation and conservation banks, and any other property protected by an in-perpetuity conservation mechanism for natural lands management.

When must the applicant implement this condition? This condition must be implemented in two phases:

- Planning and Application Phase: While preparing the application, the project proponent must coordinate with a County Project Lead who will determine whether the project is subject to this condition, as well as which components may be required for the project. The PCA will provide technical assistance when requested by the County. The applicant will then incorporate any design requirements into the project, and the application must include ***documentation that these design elements have been incorporated***.
- Compliance Phase: The applicant will implement the project design measures after receiving a PCCP Certificate of Authorization, incorporating the measures into project development. The PCCP Certificate of Authorization will specify the project-specific measures related to General Condition 2 that the applicant must implement for the PCCP Certificate of Authorization to be considered valid.

How must the applicant implement this condition? General Condition 2 requires applicants to design new development to minimize effects on adjacent conservation lands. Application of the following design requirements will help minimize the potential for indirect effects of development on conservation lands.

1. Signage must be posted to notify of any usage restrictions and to educate the public on the sensitivity of the area and usage restrictions.

2. Fencing must be installed at the boundary between developed areas and reserves to prevent illegal access by people and pets, unless the conditions on the reserve make trespass unlikely (e.g., surrounded by canals that are difficult to cross). Fences will be suitable to the conditions in the adjacent reserve. The type of fence required will be at the discretion of the County, as permitted by Placer County codes and design guidelines. Fences will have limited gates and be designed with consideration to restrict movement of people and their pets. Access will be limited to maintenance and monitoring activities unless a habitat management plan specifies otherwise.

3. Natural or artificial barriers or other access restrictions may be installed around development to protect sensitive land-cover types and Covered Species in the reserves. If used, barriers should be designed so they are appropriate for site conditions and the resources being protected. Some barriers should keep domestic pets outside the reserve, other barriers should keep Covered Species inside the reserve. Before installation of a barrier, consideration shall be given to freedom of movement by Covered Species. If the barrier would prevent movement, or if the barrier would encourage species to use other, less-favorable crossings, alternative solutions shall be considered.
4. Roads constructed adjacent to reserves must be fenced to restrict unauthorized public access. Through the conditional approval process, the Permittee will only approve fencing that is appropriate (e.g., chain link, post and cable, barbwire) to allow movement of wildlife between reserves.
5. Development must be designed to minimize the length of the shared boundary between development and the reserves (i.e., minimize the urban edge, perimeter).
6. Incorporation of high-intensity lighting (e.g., floodlights used for recreational facilities and commercial parking lots) into site improvement standards near reserves must be avoided. Low-glare, no-glare, or shielded lighting will be installed in developed areas adjacent to reserves to minimize artificial lighting of reserve lands at night. The height and intensity of lights shall be kept to a minimum. Resources providing technical support include publications of the Illuminating Engineering Society of North America and its *Lighting Handbook, Reference & Application, Ninth Edition, and Recommended Practices*. The intent of this avoidance and minimization measure is to design a lighting system, where determined necessary, that maintains public safety and security in the project area while curtailing the degradation of the nighttime visual environment on the reserve property by limiting nighttime light radiation and/or light spill.
7. Public facilities, such as ballparks and fields that require high-intensity night lighting (i.e., floodlights), must be sited at least 0.5 mile from the reserve boundary to minimize light pollution. Facilities may be sited closer to the Reserve System if the PCA determines the lighting system will not be intrusive to wildlife within the Reserve System (e.g., hills block the lighting).
8. For any landscaping adjacent to reserve properties, non-invasive plants will be required, and the use of native plants will be highly encouraged, consistent with County landscape design guidelines (Placer County 2013).

Any of the above design requirements, or similar requirements developed over time, that are incorporated into projects will be located within the development footprint. The property owners will be required to maintain these project features. Conditions of approval on projects are monitored by County staff during the construction and development phase and are enforced over time through the efforts of professional land development staff familiar with the project or a code enforcement division. If projects are found to be out of compliance, standard remedial actions will be applied and may include code enforcement, use of securities, revocation or modification of entitlement. Violations will be reported to the PCA, Wildlife Agencies, and applicable local jurisdiction for potential enforcement.

The above avoidance and minimization measures are intended to serve as guidelines that establish, at a minimum, how effects at the development interface with the Reserve System and other conservation lands can be avoided and minimized. Site conditions may introduce

additional opportunities that the County may need to consider on a case-by-case basis (e.g., topographic conditions, location of passive recreational facilities, native landscaping buffers).

General Condition 3, Land Conversion

General Condition 3 requires Covered Activities that would result in permanent conversion of natural land cover to pay fees or otherwise contribute to establishing the Reserve System.

Who must implement this condition? General Condition 3 applies to project applicants whose projects result in permanent natural land cover conversion.

When must the applicant implement this condition? The project applicant must implement this condition during the planning and application phase, i.e., prior to receiving a PCCP Certificate of Authorization.

How must the applicant implement this condition? The applicant must include in the application ***the acres of each land cover type affected***. The applicant must then coordinate with the County Project Lead, who will determine applicable land conversion fees required for any permanent conversion of natural land cover, as described in Chapter 5. The applicant may also coordinate with the County Project Lead to determine whether there are feasible project design alternatives that would result in a reduction of fees.

Project applicants may offer land as full or partial credit toward their fee obligations, if the land meets specific criteria. Details regarding land in lieu of fees are provided in *Land Provided In Lieu of Development Fees* in Chapter 6, Section 6.5, *Alternatives to Paying Land Conversion and Special Habitat Fees*.

General Condition 4, Temporary Effects

Who must implement this condition? General Condition 4 applies when the project results in temporary effects on natural land cover and the applicant wishes to apply temporary effect fees (lower than the fees applied under General Condition 3).

When must the applicant implement this condition? This condition must be implemented in two phases:

- Planning and Application Phase: While preparing the application, the applicant must identify the area subject to temporary effects and provide documentation related to the nature of the effects.
- Compliance Phase: After receiving a PCCP Certificate of Authorization and the temporary disturbance has occurred, the applicant will restore temporarily disturbed areas and document the restoration.

How must the applicant implement this condition?

- Planning and Application Phase: The applicant must coordinate with the County Project Lead, who will determine applicable land conversion fees required for any temporary conversion of natural land cover, as described in Chapter 5. To qualify for the temporary effect fee, the application must include ***identification of the land cover types, locations, and amounts to be temporarily affected; documentation of pre-project conditions; and proposed performance standards for the affected natural community***. The purpose of these performance standards is to demonstrate to the local jurisdiction that temporary effect

sites will be returned to pre-project conditions within 1 year of starting ground disturbance at that location. Performance standards will vary based on natural community type affected but should include metrics such as percent vegetative cover, vegetation height, restored topography, or restored hydrology. The applicant must base the performance standards on PCA performance standard guidelines when they are available (within 2 years of HCP/NCCP permit issuance). At any time, County Project Leads may confer with the PCA in the review and approval of the performance standards.

- Compliance Phase: The PCCP Certificate of Authorization will specify that the applicant must restore the temporarily disturbed area and, one year after project groundbreaking, provide the County with a written assessment of how the performance standards were met. Based on this information, the County or Program Biologist will determine whether the project effects were actually temporary. If it is determined the effects remain 1 year after groundbreaking activities have commenced, the effects will be considered permanent and the County Project Lead will reassess fees based on those effects, as described in General Condition 3, *Land Conversion*.

General Condition 5, Conduct Worker Training

General Condition 5 requires that all project construction personnel participate in a worker environmental training program that educates workers regarding the Covered Species and their habitats, the need to avoid effects, state and federal protection, and the legal implications of violating environmental laws and regulations.

Who must implement this condition? General Condition 5 applies to projects for which any avoidance and minimization measures must be conducted during construction.

When must the applicant implement this condition? The applicant must implement this condition during the compliance phase (i.e., after receiving a PCCP Certificate of Authorization) and immediately prior to and/or during project construction. The PCCP Certificate of Authorization will specify the project-specific measures the applicant must implement for the PCCP Certificate of Authorization to be considered valid.

How must the applicant implement this condition? At a minimum, the training may be accomplished through "tailgate" presentations at the project site and the distribution of informational brochures, with descriptions of sensitive biological resources and regulatory protections, to construction personnel prior to initiation of construction work. The County Project Lead will assist the applicant by providing training materials developed by the PCA.

7.3 Natural Community Conditions

In addition to land conversion fees associated with *General Condition 3, Land Conversion*, and *General Condition 4, Temporary Effects*, projects resulting in direct permanent or temporary effects on certain communities and/or constituent habitats are required to mitigate for the effects, generally through payment of PCCP development fees.

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Community Condition 1, Wetland Avoidance and Minimization (Vernal Pool and Aquatic/Wetland Complex)

Community Condition 1.1, Avoidance of Vernal Pool Complex Constituent Habitat

Community Condition 1.1 requires projects to first evaluate whether avoidance of effects on vernal pool complex constituent habitat (also termed *vernal pool wetlands*) is advisable and feasible, as described below, and then mitigate for unavoidable effects to vernal pool wetlands, generally through payment of fees. Vernal pool wetlands include vernal pools, seasonal wetland in vernal pool complex, and seasonal swales (referred to in the HCP/NCCP as vernal pool constituent habitats).

Who must implement this condition? Community Condition 1.1 applies to projects for which vernal pool wetlands occur in the ground disturbance areas or in the immediate watershed of the ground disturbance area (see Section 5.2, *Effects on Vernal Pool Wetlands* for description of *immediate watershed*).

When must the applicant implement this condition? The applicant must implement this condition in two phases:

- Planning and Application Phase: While designing the project, the applicant's emphasis should first be to avoid effects on vernal pool wetlands as described below. The applicant must then identify in the application the area subject to direct and indirect effects on vernal pool wetlands, provide documentation related to the nature and extent of the effects, and identify vernal pool wetlands that will be avoided. Section 5.2, *Effects on Vernal Pools,* describes how applicants must identify and quantify the areas of direct and indirect effects on vernal pool wetlands.
- Compliance Phase: After receiving a PCCP Certificate of Authorization, the applicant must ensure that they have avoided effects on vernal pool wetlands that the application indicated they would avoid.

How must the applicant implement this condition?

- Planning and Application Phase: While designing the project and preparing the application, the applicant must retain a qualified biologist to identify vernal pool wetlands and potential effects on these wetlands, including opportunities for avoidance. Avoidance of direct effects is a priority when vernal pool wetlands are located in the Stream System Boundary. If no Stream System Boundary is present, wetlands should be avoided when they meet the relevant criteria described in Chapter 3 under *Box C*, *Avoidance Areas*.

  The application must then identify and quantify unavoidable effects as described in Section 5.2, *Effects on Vernal Pool Wetlands.*

- Compliance Phase: After receiving a PCCP Certificate of Authorization and prior to construction, a qualified professional must temporarily stake vernal pool constituent habitat and immediate watersheds that will be avoided, to ensure construction equipment and personnel completely avoid these features.

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Community Condition 1.2, Avoidance of Aquatic/Wetland Complex Constituent Habitat

Community Condition 1.2 requires projects to first evaluate whether avoidance of effects on aquatic/wetland complex constituent habitat (also termed *non-vernal pool wetlands*) is advisable and feasible, as described below, and then mitigate for unavoidable effects to non-vernal pool wetlands, generally through payment of fees. Non-vernal pool wetlands include fresh emergent marsh, lacustrine, and non-vernal pool seasonal wetlands. This category includes flowing springs and long-duration seeps (associated with groundwater seepage) not located inside the Stream System.

Who must implement this condition? Community Condition 1.2 applies to projects for which non-vernal pool wetlands are potentially affected, as determined by a qualified biologist and defined in Section 5.3, *Effects on Non-vernal Pool Wetlands*.

When must the applicant implement this condition? The applicant must implement this condition in two phases:

- Planning and Application Phase: While designing the project, the applicant's emphasis should first be to avoid effects on vernal pool wetlands as described below. The applicant must then identify in the application the area subject to effects on non-vernal pool wetlands, provide documentation related to the nature and extent of the effects, and identify non-vernal pool wetlands that will be avoided. Section 5.3, *Effects on Non-vernal Pool Wetlands,* describes how applicants must identify and quantify the area of effects on non-vernal pool wetlands.
- Compliance Phase: After receiving a PCCP Certificate of Authorization, the applicant must ensure that they have avoided effects on non-vernal pool wetlands that the application indicated the applicant would avoid.

How must the applicant implement this condition?

Planning and Application Phase: While preparing the application, the applicant must retain a qualified biologist to determine whether ground disturbance from the project encroaches on delineated non-vernal pool wetlands. The Program Biologist will determine whether the establishment of an avoidance buffer is appropriate. If applied, the buffer width will vary by project based on the sensitivity and vulnerability of the avoided resources. The Program Biologist will consider the following when determining the buffer.

- Adjacent land use and nature of potential on-going disturbance to the avoided feature.
- Adjacency to existing Reserve System lands or the PCCP RAA.
- Existing and potential future hydrologic connections (e.g., new storm drain outfalls), which may have a significant effect on the quality, type, and function of the feature.
- Vertical/topographical separation, particularly in the Foothills.
- Species avoidance buffers (per Section 6.6, *Conditions to Minimize Effects on Covered Species*).
- In cases of disagreement between the applicant's qualified biologist and the Program Biologist's determination regarding the sensitivity and vulnerability of avoided resources or the buffer width, the Wildlife Agencies will be consulted to support resolution of such controversy.

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Covered Activities that fully avoid the non-vernal pool wetland and its associated buffer will be deemed to have avoided these resources so long as the project applicant can also demonstrate the water source, including quantity of inflow, has not changed compared with pre-project conditions. This may require that a qualified professional prepare a hydrologic study of the wetland and anticipated effect, or lack thereof, on the wetland as a result of project implementation. The avoidance determination process applies to all other wetlands and buffers that may be affected by a project, even if a portion of the other wetland and buffer is on a different parcel than that on which the project is occurring. As such, the project applicant must evaluate all nearby aquatic features (both on the project parcels and on adjacent parcels). In some cases, access to determine the extent of aquatic features—and therefore the extent of the buffer and potential for effect—is not allowed. In such cases, a qualified professional will determine the extent of adjacent aquatic features using available resources, including current aerial photos and baseline data information provided by the PCA, and will apply best efforts to assess the extent of the adjacent aquatic feature visually from areas of allowable site access.

The application must document unavoidable effects as described in Chapter 5, *Determining Area of Effect*, Section 5.3, *Non-vernal Pool Wetlands.*

- Compliance Phase: After receiving a PCCP Certificate of Authorization and prior to construction, a qualified professional must temporarily stake non-vernal pool wetlands and their buffers that will be avoided, to ensure construction equipment and personnel completely avoid these features.

Community Condition 1.3, Aquatic/Wetland Complex Impact Minimization Measures

Who must implement this condition? Applicants who have temporary project impacts on non-vernal pool wetlands or their buffers must implement Community Condition 1.3. If the project results in impacts on non-vernal pool wetlands or their buffers and the applicant cannot comply with Community Condition 1.3, then the impacts will be treated as permanent and addressed under Community Conditions 1.1 or 1.2.

When must the applicant implement this condition? The applicant must implement this condition in two phases:

- Planning and Application Phase: While planning the project and preparing the application, the applicant must verify that they are able to commit to the measures required in Community Condition 1.3, and the application must ***identify the location, area, and types of wetlands to be temporarily affected***.
- Compliance Phase: The PCCP Certificate of Authorization will specify that the applicant must implement Community Condition 1.3, and the applicant must implement these measures during construction.

How must the applicant implement this condition? For an impact on wetlands or their buffers to be considered temporary, the applicant must commit to the following throughout the wetland feature or its buffer:

1. The project must comply with General Condition 1, *Watershed Hydrology and Water Quality*.
2. Personnel conducting ground-disturbing activities in or around other wetlands must be trained by a qualified biologist in these minimization measures and the permit obligations of project applicants working under the Plan.

3. Construction and maintenance vehicles or equipment must not be refueled within the wetland or its buffer, except that refueling can occur within the wetland buffer if a bermed and lined refueling area is constructed and hazardous material absorbent pads are available in the event of a spill.
4. No equipment will be present in the wetted portion of the aquatic feature. Equipment may only enter the area when the aquatic feature is dry and there is no forecasted rain within 72 hours. Vehicles will be checked for leaks prior to entering or traveling around the aquatic feature.
5. All organic matter must be removed from nets, traps, boots, vehicle tires, and all other surfaces that have come into contact with aquatic features, or potentially contaminated sediments. Items shall be rinsed with clean water before leaving each study site (U.S. Fish and Wildlife Service 2005).
6. Measures to minimize the spread of disease and non-native species shall be implemented based on current Wildlife Agency protocols, to be provided to the applicant by the County Project Lead. The PCA will provide the County with the latest protocols.
7. Used cleaning materials (e.g., liquids) must be disposed of safely and, if necessary, taken off the site for proper disposal. Used disposable gloves shall be retained for safe disposal in sealed bags (U.S. Fish and Wildlife Service 2005).
8. Native vegetation (shrubs and small trees) must be planted between non-vernal pool wetlands and the development such that the line of sight between non-vernal pool wetlands and the development is shielded. This measure is only required when the Program Biologist deems it necessary to shield non-vernal pool wetlands from adjacent development or to avoid direct or indirect effects from the adjacent development (e.g., trespass).
9. The Program Biologist will determine if fencing shall be required on a case-by-case basis. If needed, the type of fencing will match the activity and impact types. For example, projects that have the potential to cause erosion will require erosion-control barriers, and projects that may bring more household pets to a site must have permanent fencing to exclude pets. The temporal requirements for fencing also depend on the activity and impact type. For example, fencing to minimize permanent effects will be permanent, and fencing to minimize short-term effects will be removed after the activity is completed. Permanent fencing will be installed after grading or other construction activities in the area have been completed. If installed, a party responsible for maintenance will be identified prior to construction.

Community Condition 1.4, Salvage of Vernal Pool Constituent Habitat

Who must implement this condition? Community Condition 1.4 applies to projects that impact vernal pool constituent habitat.

When must the applicant implement this condition? The applicant must implement this condition after receiving a PCCP Certificate of Authorization, and prior to project construction.

How must the applicant implement this condition? The applicant must schedule grading and construction in coordination with the PCA, to provide the PCA the opportunity to salvage topsoil from the vernal pool wetlands if they choose to do so. The applicant must notify the PCA of their construction schedule to allow the PCA the opportunity to salvage soils while the pools are completely dry (generally July through September), and the PCA must make salvage plans sufficiently far in advance so as to not unreasonably impair construction.

Community Condition 2, Riverine and Riparian Avoidance and Minimization

This condition, focusing specifically on riverine and riparian constituent habitat components of the Riverine/Riparian Complex community, is supplemental to Stream System Condition 1, *Stream System Avoidance and Minimization*.

Community Condition 2.1, Riverine and Riparian Avoidance

Community Condition 2.1 describes how projects can avoid paying special habitat fees on riverine/riparian constituent habitat by avoiding effects on this habitat.

Who must implement this condition? Community Condition 2.1 is only required for areas subject to Stream System requirements (Section 7.4, *Conditions to Avoid and Minimize Effects on the Stream System*) and where riparian habitat occurs on the development project parcel or within 50 feet of the ground disturbance area.

When must the applicant implement this condition? The applicant must implement this condition during the planning and application phase (i.e., while planning the project and preparing the application).

How must the applicant implement this condition? Riparian habitat can be credited as avoided (i.e., a project will not be assessed special habitat fees) if any area within a buffer or within 50 feet of the outermost bounds of the riparian vegetation is avoided. The riparian buffer does not include patches of invasive, non-native vegetation that extends beyond the riparian vegetation. The application must include maps demonstrating that a buffer of at least 50 feet will be established between project activities and any riparian habitat in the vicinity. If the applicant cannot demonstrate a buffer of at least 50 feet, then Condition 2.2 applies. Any riverine/riparian constituent habitat not considered avoided is counted toward riparian effects as described in Section 5.4, *Effects on Riverine/Riparian.*

Community Condition 2.2, Minimize Riverine and Riparian Effects

Community Condition 2.2 requires projects that cannot avoid riverine/riparian effects to minimize these effects.

Who must implement this condition? Community Condition 2.2 applies to projects for which avoidance of riparian constituent habitat as described under Community Condition 2.1 is not feasible. Whereas Condition 2.1 is only applicable to areas subject to Stream System conditions (Section 7.4, *Conditions to Avoid and Minimize Effects on the Stream System*), Community Condition 2.2 is applicable to all affected riverine/riparian habitat.

When must the applicant implement this condition? This condition must be implemented in two phases:

- Planning and Application Phase: While preparing the application, the applicant must coordinate with a County Project Lead who will determine which components of Community Condition 2.2 may be required for the project. The Program Biologist will provide technical assistance when requested by the County. The applicant will then incorporate the design requirements into the project design, and the application must include ***documentation that these design elements have been incorporated***.

- Compliance Phase: The applicant will implement the project design measures after receiving a PCCP Certificate of Authorization, incorporating the measures into project development. The PCCP Certificate of Authorization will specify the project-specific measures related to Community Condition 2.2 that the applicant must implement for the PCCP Certificate of Authorization to be considered valid.

How must the applicant implement this condition? Projects with unavoidable impacts to riverine/riparian habitat will be required to adhere to minimization measures described in Table 7-1, below. Note that separate conditions to address avoidance and minimization of effects on the Stream System (Section 7.4, *Conditions to Avoid, Minimize, and Mitigate Effects on the Stream System*) and Covered Species (Section 7.5, *Covered Species Conditions*) are also required, if applicable, as described in this chapter.

Table 7-1. In-stream and Stream System BMPs

Avoidance and Minimization Measure	Location
Project Planning and Design	
All Covered Activities shall minimize the area of disturbance in Stream System to the maximum extent practicable.	Stream System
Prior to final project design, site characteristics will be evaluated to determine if non-traditional designs, such as bioengineered bank treatments that incorporate live vegetation, or other engineered habitat improvements, can be successfully utilized while meeting the requirements of the project.	Stream System
If structural changes to the channel bed are necessary as part of project design, provisions for fish passage will be incorporated into the project design.	Channel
To minimize impact of new construction, existing access routes and levee roads shall be used.	Stream System
Removal of riparian vegetation shall be minimized so the amount cleared will only be the amount necessary to accomplish the required activity and comply with public health and safety directives. Where riparian vegetation requires removal, removal will first be targeted in areas dominated by invasive vegetation.	Stream System
Maintenance of natural stream characteristics, such as riffle-pool sequences, riparian canopy, sinuosity, floodplain, woody debris, and a natural channel bed, will be incorporated into the project design.	Channel
Stream bank repair design will first consider only use of compacted soil and will be re-seeded with native grasses or sterile non-native hybrids and stabilized with natural erosion control fabric. If compacted soil is not sufficient to stabilize the slope, bioengineering techniques must be used. No hardscape (e.g., concrete or any sort of bare riprap) or rock gabions may be utilized in streams not managed for flood control (i.e., streams where channel clearing, vegetation and debris removal, and conveyance maintenance activities are conducted) except in cases where infrastructure or human safety is threatened (e.g., undercutting of existing roads).	Stream System
Rock riprap may only be used to stabilize channels experiencing extreme erosion or posing a threat to public safety. When used, rock riprap must be large enough and installed to withstand a 100-year flow event and planted with native riparian species suitable for planting in such a manner.	Channel
Limit removal of instream woody material (IWM) and vegetation in channels, on stream banks, and along levees and maintenance roads to only that necessary to meet the objective of the Covered Activity, or to meet regulatory requirements or guidelines.	Stream System

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Avoidance and Minimization Measure	Location
In streams not managed for flood control purposes (i.e., streams where channel clearing, vegetation and debris removal, and conveyance maintenance activities are conducted) woody material (including live leaning trees, dead trees, tree trunks, large limbs, and stumps) will be retained unless it is threatening a structure, impedes reasonable access, or is causing bank failure and sediment loading to the stream.	Channel
If debris blockages threaten bank stability and may increase sedimentation of downstream reaches, debris will be removed. When clearing natural debris blockages (e.g., branches, fallen trees, soil from landslides) from the channel, only remove the minimum amount of debris necessary to maintain flow conveyance (i.e., prevent significant backwatering or pooling). Non-natural debris (e.g., trash, shopping carts) will be fully removed from the channel.	Channel
To minimize the effect of increased local erosion due to in-channel vegetation removal, the top of the bank shall be protected by leaving vegetation in place to the maximum extent possible.	Stream System
Avoid access routes on slopes of greater than 20 percent used to access upland areas adjacent to streams and riparian areas. Any upland access across sloped areas shall be examined for evidence of instability and either revegetated or filled to prevent future landslide or erosion.	Stream System
Avoid activities in the active (i.e., flowing) channel to the maximum extent practicable, especially during the migration, spawning, and egg incubation season for listed fish species, or before amphibians have undergone metamorphosis. If activities must be conducted in the active channel, limit the use of equipment for in-water work to hand tools to the extent practicable.	Channel
Bank stabilization site design shall evaluate hydraulic effects immediately upstream and downstream of the work area to minimize downstream erosion caused by changes in water velocity. Design of bank stabilization projects shall incorporate similar roughness and characteristics of the bank surrounding the project area.	Channel
Trails will be sited and designed with the smallest footprint necessary to cross through the Stream System. Trail crossings of streams will be aligned perpendicular to the channel and be designed to avoid any potential for future erosion.	Stream System
Trail crossings of freshwater streams and drainages will adhere to the BMP above regarding the preference of bridges, or other over water structures, to minimize disturbance. Culverts may also be used if that is the least environmentally damaging design.	Channel
Trail design shall minimize need for drainage structures. At the outfalls of drainage structures, erosion control measures shall be taken to prevent erosion.	Channel
Whenever possible, the span of bridges will also allow for upland habitat beneath the bridge to provide undercrossing areas for wildlife species that will not enter the creek. Native plantings, natural debris, or scattered rocks will be installed under bridges to provide wildlife cover and encourage the use of crossings.	Stream System
While in-stream work is performed, the entire streamflow shall be diverted around the work area by a barrier, except where it has been determined by a qualified biologist that the least environmentally disruptive approach is to work in a flowing stream and fish and amphibian passage is not a concern at that time. Where feasible, water diversion techniques shall allow stream flows to gravity flow around or through the work site.	Channel

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Avoidance and Minimization Measure	Location
Cofferdams for isolating in-channel activities shall be installed both upstream and downstream not more than 100 feet from the extent of the work areas to prevent seepage into or from the work area when dewatering of the entire channel is necessary; otherwise, cofferdams shall affect no more of the stream channel than is necessary to support completion of the work. All water shall be discharged in a non-erosive manner (e.g., through gravel or vegetated bars, on hay bales, on plastic, on concrete, or in storm drains when equipped with filtering devices) provided that it first has been properly treated to eliminate contaminants, including raw concrete. Treated water discharged to the channel shall be consistent with ambient conditions, including temperature and pH. Turbid water or water contaminated with other pollutants pumped out of cofferdams shall be discharged to upland areas (e.g., grassy field) providing overland flow and infiltration and not allowed to re-enter the channel, or pumped to containers (e.g., baker tanks) for disposal.	Channel
In channels with low flows, small in-channel berms constructed of imported, non-erosive materials (e.g., washed, rounded, spawning-sized gravel between 0.4 and 4.0 inches [10 to 100 millimeters] in diameter) or other temporary structures (gravel-filled sandbags, inflatable rubber cofferdams) that deflect water to one side of the channel during project implementation may be built. Following berm removal, the channel shall be restored to its original condition; gravel in contact with flowing water shall be left in place and allowed to disperse naturally by high winter flows.	Channel
Sumps or basins may be used to collect water, where appropriate (e.g., in channels with low flows). If pumps are used, a fish screen must be installed to prevent entrapment of small fish.	Channel
To prevent increases in temperature and decreases in dissolved oxygen (DO), properly sized bypass pipes shall be used (i.e., larger diameter pipes to better pass the flows). Creation of a low-flow channel or other methods to isolate the work area may be used to avoid the use of bypass pipes.	Channel
Diversions shall not diminish quantity or degrade quality of the discharged water, and shall maintain ambient stream flows below the diversion. When the work is completed, all de-watering materials placed in the channel shall be removed and normal flows shall be restored to the affected stream as soon as is feasible and safe. To the extent feasible, all temporary diversion structures and the supportive material shall be removed no more than 48 hours after work is completed; clean gravel in contact with flowing water shall be left in place and allowed to disperse naturally by high winter flows.	Channel
The applicant shall maintain a copy of project conditions—as determined by the local jurisdiction and/or PCA—at the site. Site supervisors shall be familiar with all permit conditions.	Stream System
A qualified biologist will train all personnel working within or adjacent to the Stream System (i.e., those people operating ground-disturbing equipment) regarding these avoidance and minimization measures and the permit obligations of project applicants working under this Plan.	Stream System
Personnel shall utilize equipment that minimizes the area and degree of disturbance, such as appropriately-tired vehicles (either tracked or wheeled, depending on the situation), or avoidance of vehicles if possible.	Channel
No vehicles other than necessary construction equipment shall be allowed within the Stream System.	Stream System
All wetlands, other waters, and Stream Systems that are adjacent to a Covered Activity project site and that will be avoided shall be marked with bright construction fencing. Temporary fencing installation shall be verified by PCA/County staff and removed upon completion of the project.	Stream System

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Avoidance and Minimization Measure	Location
Deep pools located outside and adjacent to the construction footprint shall be fenced or blocked with barriers to prevent encroachment of equipment and personnel from affecting deep-pool habitats, which are used as refuge for fish and wildlife.	Channel
When practicable, avoid maintenance and construction activities at night. When night work cannot be avoided: • Minimize use of temporary lighting. • Shield and focus lights on work areas. • Use the lowest intensity lighting necessary to complete the work.	Stream System
Wildlife entering the construction site shall be allowed to leave the area unharmed, or shall be flushed or herded humanely in a safe direction from the site.	Stream System
All utility pipe sections shall be capped or inspected for wildlife before being placed in a trench. Pipes within a trench shall be capped at the end of each day to prevent entry by wildlife.	Stream System
At the end of each workday all open trenches will be provided with a ramp of dirt or wood to allow trapped animals to escape.	Stream System
Staging and storage areas for equipment, stockpiled materials, fuels, lubricants, and solvents shall be located outside of the Stream System. If site conditions prevent locating staging areas outside the Stream System, at a minimum they shall be located outside the top of the bank, ideally on an existing disturbed area (e.g., access road) or other area that can be readily returned to pre-project conditions at the conclusion of the activity.	Stream System
Handle and dispose of invasive plant species removed during Covered Activity implementation in such a manner as to prevent further spread of the invasive species.	Stream System
To minimize the spread of pathogens all staff working in aquatic systems (i.e., streams, ponds, and wetlands), including site monitors, construction crews, and surveyors, will adhere to the most current guidance for equipment decontamination provided by the Wildlife Agencies at the time of activity implementation.	Channel
Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions. A list of all pesticides that may be used in the project area shall be submitted to the PCA before use. The USFWS and NMFS do not issue incidental take permits for pesticide and rodenticide use; pesticide and rodenticide use, and resultant "take" of ESA-listed species, are not covered under this Plan for the federal permits.	Stream System
Avoid or minimize the amount of fertilizer used during hydro seeding to minimize introducing these materials into waterways.	Stream System
Temporary fills, such as for access ramps, diversion structures, or cofferdams, shall be completely removed upon finishing the work.	Stream System
The stream bed will be returned to as close to pre-project condition—considering such characteristics as elevations, profile, and gradient—as appropriate. Ecologically improved conditions shall be incorporated into project design when appropriate.	Channel
Any disturbed soils will be revegetated with native plants; non-invasive species; or non-reproductive (i.e., sterile hybrids) plants suitable for the altered soil conditions.	Stream System
Projects that cross beneath streams must provide a post-construction summary of any unanticipated effects (e.g., stream channel disturbance due to a frac-out) resulting from implementation of the project. Additional fees may be owed (as required by General Conditions 3 and 4, *Land Conversion* and *Temporary Effects*, respectively), based on the actual effects of the project.	Stream System

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Avoidance and Minimization Measure	Location
For stream maintenance activities, only in-stream work that is necessary to maintain the channel consistent with designated management purposes (e.g., flood control, groundwater recharge) will be conducted.	Channel
When conducting vegetation management, retain as much understory brush and as many trees as feasible, emphasizing shade producing and bank stabilizing vegetation.	Stream System
Vegetation thinning and removal in streams managed for flood control will be phased to ensure that some riparian habitat remains at all times. Projects will be planned so that the least amount of riparian vegetation will be removed while still meeting the desired flood control needs.	Stream System
If a project alters the stream bed during stream maintenance, the stream low flow channel shall be returned to its approximate prior location with appropriate depth for fish passage without creating a potential future bank erosion problem.	Channel
Sediment removal in the stream channel shall use the approach with the least impact, such as phasing of removal activities or only removing sediment along one half of the channel bed, allowing the other half to remain relatively undisturbed.	Channel
Maintenance and operation of pumps and generators placed in stream will minimize impacts to water quality and aquatic species.	Channel
Temporary crossings shall be installed no earlier than April 15 and shall be removed no later than October 15. This work window could be modified at the discretion of the County, City, and Wildlife Agencies.	Channel
Work in Stream Systems shall not disturb active bird nests until young birds have fledged. To avoid effects to nesting birds in Stream Systems, trees and shrubs shall be removed outside of the nesting season approximately between August 15 and February 1. Tree and shrub removal at other times is at the PCA's discretion and will require surveys by a qualified biologist to determine the absence of nesting birds.	Stream System
The following will be implemented to minimize noise effects on fish and wildlife during pile driving: • Vibratory pile drivers, or other Wildlife Agency-approved methods, shall be used to drive piles, to the maximum extent practicable. • Where feasible, the use of impact hammers to drive piles will be limited to areas outside of the stream channel or in dry cofferdams. • Bubble curtains will be used to attenuate sound when it is necessary to drive piles with an impact hammer in water. • Where feasible, metal-to-metal contact of the driver hammer and metal piles will be avoided. • The smallest pile driver and the minimum force necessary to complete the work will be used. • All types of pile driving will be limited to daylight hours only to provide fish and wildlife with extended quiet periods. • Prior to initiating pile driving with an impact hammer, an acoustic analysis using the most recent interagency standards and guidelines will be conducted to predict impacts of pile driving noise on listed fish species. A hydroacoustic monitoring plan will be developed and implemented and underwater noise levels will be monitored during all impact pile driving on land, in dry cofferdams and in water (using bubble curtains) to ensure that the peak and cumulative sound exposure levels do not exceed predicted values.	Channel

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Avoidance and Minimization Measure	Location
Wood treated with oil-type preservatives (e.g., creosote, pentachlorophenol) shall not be used in waterways. Wood treated with waterborne preservative chemicals shall be used instead, provided that the preservative being used has been approved by the Western Wood Preservers Institute (WWPI), and WWPI guidelines and BMPs to minimize effects on aquatic environments during implementation are followed (www.wwpinstitute.org).	Channel
Utility lines that cross waterways shall be attached to bridges, when feasible.	Stream System
When it is necessary to bury utility lines beneath stream channels, a frac-out plan will be prepared, and will include a plan for response and containment. In addition, the following factors shall be considered as part of project design: • Utility lines shall be buried below the maximum extent of channel bed scour and aligned as perpendicular as possible to the stream channel. • Avoid siting crossings at meander bends, braided stream segments, alluvial fans, active floodplains, or other inherently unstable reaches, areas of groundwater upwelling or locations with documented spawning habitat. • Trenching through stream banks and channels shall be avoided in favor of trenchless construction methods (e.g., jack and bore, directional drilling), to the maximum extent practicable. • If trenching is required: o Trench widths should be as narrow as feasible to accommodate the pipeline/utility line. o Trench excavation shall be conducted in the dry or in areas isolated from flowing water (e.g., cofferdams, stream diversions) and other Avoidance and Minimization Measures associated with cofferdams and water diversions described in this table shall be implemented. • The amount of disturbance shall be kept to the minimum necessary to complete the work. • Disturbed areas shall be returned to pre-project conditions prior to returning flow to the stream. • If directional drilling is required: o Drill paths shall be designed at an appropriate depth below the stream channel to minimize the risk of frac-out where drilling mud is released through fractured bedrock. o Drill entry and exit points shall be located away from channel banks to minimize impact on the Stream System and channel.	Stream System
Overland trenches shall be required to be backfilled with the native soils originally excavated from that area (as opposed to imported engineered fills) to the maximum extent feasible. Additionally, where technically feasible, topsoil shall be required to be stripped, stockpiled, and reapplied to original depth in all areas disturbed by construction over and adjacent to overland trenches.	Stream System

Community Condition 3, Valley Oak Woodland Avoidance, Minimization, and Mitigation

Community Condition 3.1, Valley Oak Woodland Avoidance

Projects avoiding impacts to valley oak woodland are not subject to land conversion fees. Community Condition 3.1 establishes the circumstances under which valley oak woodlands can be considered avoided under the PCCP.

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Who must implement this condition? Community Condition 3.1 applies to projects with potential effects on stands of valley oak woodlands of one acre or greater. Valley oak woodlands are defined as stands dominated by valley oaks with a canopy cover greater than 30 percent.

When must the applicant implement this condition? The applicant must implement this condition during the planning and application phase (i.e., while planning the project and preparing the application).

How must the applicant implement this condition? The applicant must design the project to meet the buffer requirements under Community Condition 3.1. The application must include maps demonstrating that the ground disturbance areas will not encroach within 50 feet of the valley oak canopy of any valley oak woodland stand greater than 1 acre. The applicant must also commit to prohibiting irrigation in and around valley oak woodland or otherwise altering the hydrology of the site, including the location of septic leach fields, such that the valley oak woodland receives more water than under pre-project conditions.

If a project can avoid effects on valley oak woodland, no additional conditions related to valley oak woodland are necessary. If the project cannot avoid effects on valley oak woodland, the applicant must quantify impacts as described in Section 5.5, *Effects on Valley Oak Woodlands.*

7.4 Conditions to Avoid and Minimize Effects on the Stream System

The primary objective of Stream System Conditions is protection of watershed integrity (health and hydrology) by defining the extent of the Stream System and providing an incentive (in the form of a fee) for the project applicant to avoid land conversion within the Stream System boundary. The applicant must incorporate Best Management Practices (BMPs) in project design and construction. BMPs are listed in Table 7-1, above. These BMPs will be applied to Stream System projects and will decrease the potential for degradation of streams in the Plan Area. Additional BMPs are required for projects that are covered under the CARP (see Chapter 4 of this user's guide and Appendix B). Fees will be applied for unavoidable impacts, as described in Chapter 6 of this user's guide.

Stream System Condition 1, Stream System Avoidance and Minimization

Stream System Condition 1 describes how applicants can avoid or minimize Stream System impacts to reduce fees.

Who must implement this condition? Stream System Condition 1 applies to all projects potentially affecting the Stream System. The idea is to design and implement covered activities in such a way as to avoid and minimize adverse effects on the stream system. This condition allows applicants to avoid portions of the Stream System and therefore avoid paying fees.

When must the applicant implement this condition? This condition must be implemented during the planning and application phase. While planning the project and preparing the application, the applicant must identify the Stream System as described in Chapter 3 of this

user's guide under *Box D, Stream System and Salmonid Streams*, and design the project to avoid the Stream System to avoid paying Stream System fees.

How must the applicant implement this condition? Applicants implement this condition by avoiding any ground disturbance within the identified Stream System.

Stream System Condition 2, Stream System Mitigation and Restoration

Who must implement this condition? Stream System Condition 2 applies to all projects with unavoidable effects on the Stream System.

When must the applicant implement this condition? This condition must be implemented during the planning and application phase.

How must the applicant implement this condition? The applicant must identify Stream System effects in the application as described in Section 5.6 of this User's Guide and pay fees as described in Chapter 6 of this user's guide.

7.5 Covered Species Conditions

The following conditions provide measures to avoid or minimize effects on Covered Species.

Most of the survey measures specify when surveys must be conducted and provide seasonal restrictions or spatial buffers to separate certain Covered Species from potential disturbance from Covered Activities. The conditions listed here are based on existing guidelines, regulatory principles, and expert sources available at the time when the Plan was drafted. These measures can be modified based on monitoring data from the PCA, the scientific literature, and new regulations, with review and approval of the Wildlife Agencies consistent with the criteria listed in this chapter.

When must the applicant implement the Covered Species conditions? The PCA recommends that the applicant implement these conditions in two phases:

- Planning and Application phase: It is recommended that the applicant conduct planning surveys for some Covered Species while preparing the application, as early in the planning process as possible to avoid project delays. Surveys should be prepared by a qualified biologist. The species-specific conditions described below provide more information on when planning surveys are recommended.
- Compliance phase: Preconstruction surveys, application of avoidance measures, and construction monitoring are applied during the compliance phase, i.e., after receiving a PCCP Certificate of Authorization, and immediately prior to and during project construction. The PCCP Certificate of Authorization will specify the project-specific measures the applicant must implement for the PCCP Certificate of Authorization to be considered valid.

How must the applicant implement this condition?

- Planning and Application Phase: If the applicant conducts planning surveys, these surveys should be done while preparing the application. The application should include relevant reports prepared by qualified biologists that provide the information needed as described for each species below. In some cases, the results of planning surveys may indicate that no further measures are required during the compliance phase.

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- Compliance Phase: The PCCP Certificate of Authorization will specify that the applicant must conduct preconstruction surveys as described under *Preconstruction Surveys* for each species, below. Depending on the results of the preconstruction surveys, the applicant may also need to implement the measures described under *Construction Related Avoidance Measures* for each species below.

Species Condition 1, Swainson's Hawk

Species Condition 1 applies to applicants with project sites in the Valley when the following communities are within 1,320 feet (approximately ¼ mile) of the project site:

- Valley oak woodland
- Grassland (if trees are present)
- Riparian
- Semi-natural (if trees are present)
- Other agricultural (if trees are present)
- Rural residential (if trees are present)
- Urban (if trees are present)

Species Condition 1 also applies to project applicants if a California Natural Diversity Database record search or information provided by the County Project Lead or PCA indicates that an active nest (a nest is active if it has been used within the previous 5 years) is present within 1,320 feet (approximately ¼ mile) of the project site.

Surveys

Survey Area

The survey area includes the project work area and all land within 1,320 feet (approximately ¼ mile) of project work area, including adjacent parcels. Where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist will scan all potential nest tree(s) from the adjacent property, road sides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for Swainson's hawk nesting activity.

Survey Protocol

A qualified biologist should perform the survey of nesting habitat following protocol provided in Appendix C [provide LINK] or a similar protocol approved by the PCA and Wildlife Agencies. The qualified biologist must coordinate with the County Project Lead if they wish to use a protocol other than Appendix C, and if appropriate, the County Project Lead will submit the alternative protocol to the PCA for review.

Planning Surveys

A qualified biologist should visit the survey area during the nesting season (March 15 to July 31) to determine whether Swainson's hawk is nesting in the survey area. The qualified biologist should conduct CNDDB record searches and contact the PCA before conducting planning surveys for additional information on locations of active Swainson's hawk nests to determine

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whether Swainson's hawk is nesting on or within 1,320 feet (approximately ¼ mile) of the project site.

Preconstruction Surveys

If the project cannot be designed to avoid active Swainson's hawk nest trees and the construction must occur during the nesting season (February 1 to September 15, or sooner if the PCA determines that Swainson's hawk are nesting earlier in the year), a preconstruction survey must be conducted no more than 15 days prior to ground disturbance. If a Swainson's hawk nest is located and presence confirmed, only one follow-up visit is required.

Construction Related Avoidance Measures

If surveys determine that a Swainson's hawk nest is occupied, the project must implement the measures listed below. Active nest trees on a project site will not be removed during the nesting season. If a nest tree must be removed, as determined by the PCA, tree removal shall occur only between September 15 and February 1, after any young have fledged and are no longer dependent on the nest and before breeding activity begins.

Avoidance Area

Construction activity or other covered activity that may disturb a nesting Swainson's hawk will be prohibited during the nesting season within a 1,320-foot (approximately ¼ mile) avoidance area. A nesting Swainson's hawk includes a nest with eggs (as inferred by behavior of adults) or nestlings or a nest being constructed.

If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant, via the County Project Lead, can apply to the PCA for a reduction in the avoidance area or waiver of this avoidance measure. A qualified biologist must monitor the nest and determine that the reduced buffer does not result in disturbance that may cause nest abandonment. If a qualified biologist determines nestlings have fledged, covered activities can proceed normally.

Construction Monitoring

A qualified biologist will monitor the Swainson's hawk nest and will focus on ensuring that activities do not disturb nesting activity and that construction activities do not occur within the avoidance area. If monitoring indicates that construction outside of the buffer is affecting nesting, the buffer will be increased if space allows (e.g., move staging areas farther away). If space does not allow, construction will cease until the young have fledged from the nest, as confirmed by the qualified biologist.

The frequency of monitoring is subject to approval by the PCA and based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on Swainson's hawks are minimized. The qualified biologist will train construction personnel on the avoidance procedures and buffer zones.

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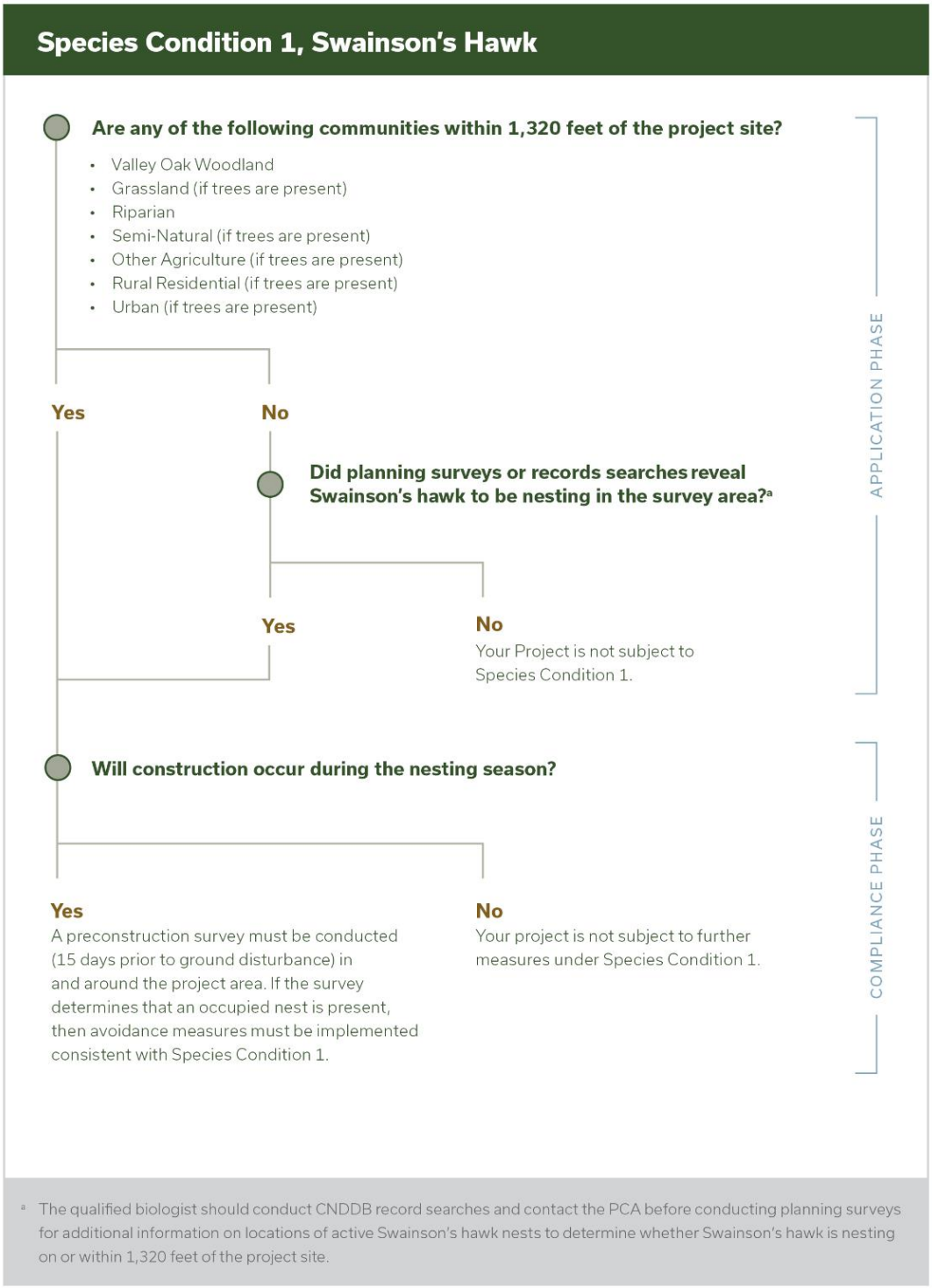

Species Condition 2, California Black Rail

Species Condition 2 applies to applicants for which a fresh emergent wetland greater than 0.2 acre is on the project site or within 500 feet of the project site, as determined by aerial photographs.

Species Condition 2 also applies to covered activities that will alter the supply of water feeding potential breeding habitat for California black rails (e.g., fixing a leak in an irrigation canal). Some wetlands supported by leaks from water conveyance structures such as irrigation canals

may also be supported hydrologically by other sources of water. Fixing a leak in an irrigation canal may therefore not substantially alter the extent and/or quality of the wetland habitat for California black rail. The project proponent may provide the results of a hydrological study of the affected wetland to the PCA and Wildlife Agencies to determine whether altering the source of water would result in take of a wetland occupied by California black rail.

Projects in occupied wetlands will not be permitted unless approval is granted by the PCA. The County must consult the PCA before implementing a covered activity or extending take coverage to a third party that may affect an occupied wetland, to determine if the take limit has been reached.

Surveys

Survey Area

The survey area includes all fresh emergent wetland greater than 0.2 acre within 500 feet of a project site. Surveys are required for the entire fresh emergent wetland if any part of a fresh emergent wetland is within 500 feet of a project site. Where an adjacent parcel is not accessible to survey because the qualified biologist is not granted permission to enter, the qualified biologist will survey from the edge of the adjacent parcel.

Survey Protocol

A qualified biologist shall perform the survey of fresh emergent wetland following protocol provided in Appendix C or a similar protocol approved by the PCA and Wildlife Agencies.

Planning Surveys

Take of California black rail occurrences are limited by the Plan. Planning surveys are required to determine whether take of an occupied wetland could be permitted, and if not, to allow time to redesign the project to avoid the occupied wetland.

A qualified biologist shall initiate planning surveys sometime between March 15 and May 31, preferably before May 15. A minimum of four surveys will be conducted. The survey dates will be spaced at least 10 days apart and will cover the time period from the date of the first survey through the end of June to early July. Qualified biologists must conduct surveys during this time period, regardless of when the project is scheduled to begin.

Preconstruction Surveys

Preconstruction surveys are required the year in which ground disturbance activities commence for project applicants that do not plan to avoid fresh emergent wetlands larger than 0.2 acres if California black rail is not detected during planning surveys.

A qualified biologist shall initiate preconstruction surveys sometime between March 15 and May 31, preferably before May 15. A minimum of four surveys will be conducted. The survey dates will be spaced at least 10 days apart and will cover the time period from the date of the first survey through the end of June to early July. Qualified biologists must conduct surveys during this time period, regardless of when the project is scheduled to begin.

The qualified biologist must inform the PCA if California black rail is detected to receive approval to remove all or a portion of the wetland.

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Construction Related Avoidance Measures

If a California black rail is determined to be present, no covered activities are permitted within the avoidance area. If the PCA agrees that the County may extend take coverage to the applicant, clearing of the habitat or dewatering must occur between September 15 and February 1 (outside the breeding season). If the work would dewater occupied habitat and the PCA does not agree that take coverage may be granted, the activity cannot take place under the Plan.

Avoidance Area

A qualified biologist will demarcate an avoidance area spanning 500 feet from the outside perimeter of the occupied wetland for projects that occur any time of the year. The avoidance area will be demarcated with an exclusion fence to prevent construction activities from encroaching into the avoided area.

When the PCA extends take coverage, but the project will not convert all of the wetland habitat, the wetland not being removed shall be avoided. The avoidance area shall span 500 feet from the outside perimeter of the occupied wetland, where avoidance would not preclude permitted work activities. The avoidance area will be demarcated with exclusion fencing to prevent construction activities from encroaching into California black rail habitat.

This avoided area may be reduced based on site-specific conditions (e.g., noise barriers) if approved by the PCA and the Wildlife Agencies. If the size of the avoided area is reduced, a qualified biologist must monitor construction activities within 500 feet to ensure that California black rail nests are not disturbed.

Construction Monitoring

A qualified biologist will monitor construction to ensure that covered activities do not occur within the avoided area, or if take allowance is granted outside of the breeding season, to ensure that adverse effects are minimized on portions of the wetland that will not be taken.

The frequency of monitoring will be approved by the PCA based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases daily monitoring may be appropriate to ensure that direct effects on California black rail are minimized. The qualified biologist may increase the buffer size if s/he determines that activities are particularly disruptive (e.g., blasting).

Prior to the start of construction, the qualified biologist will train construction personnel on the avoidance procedures and buffer zones.

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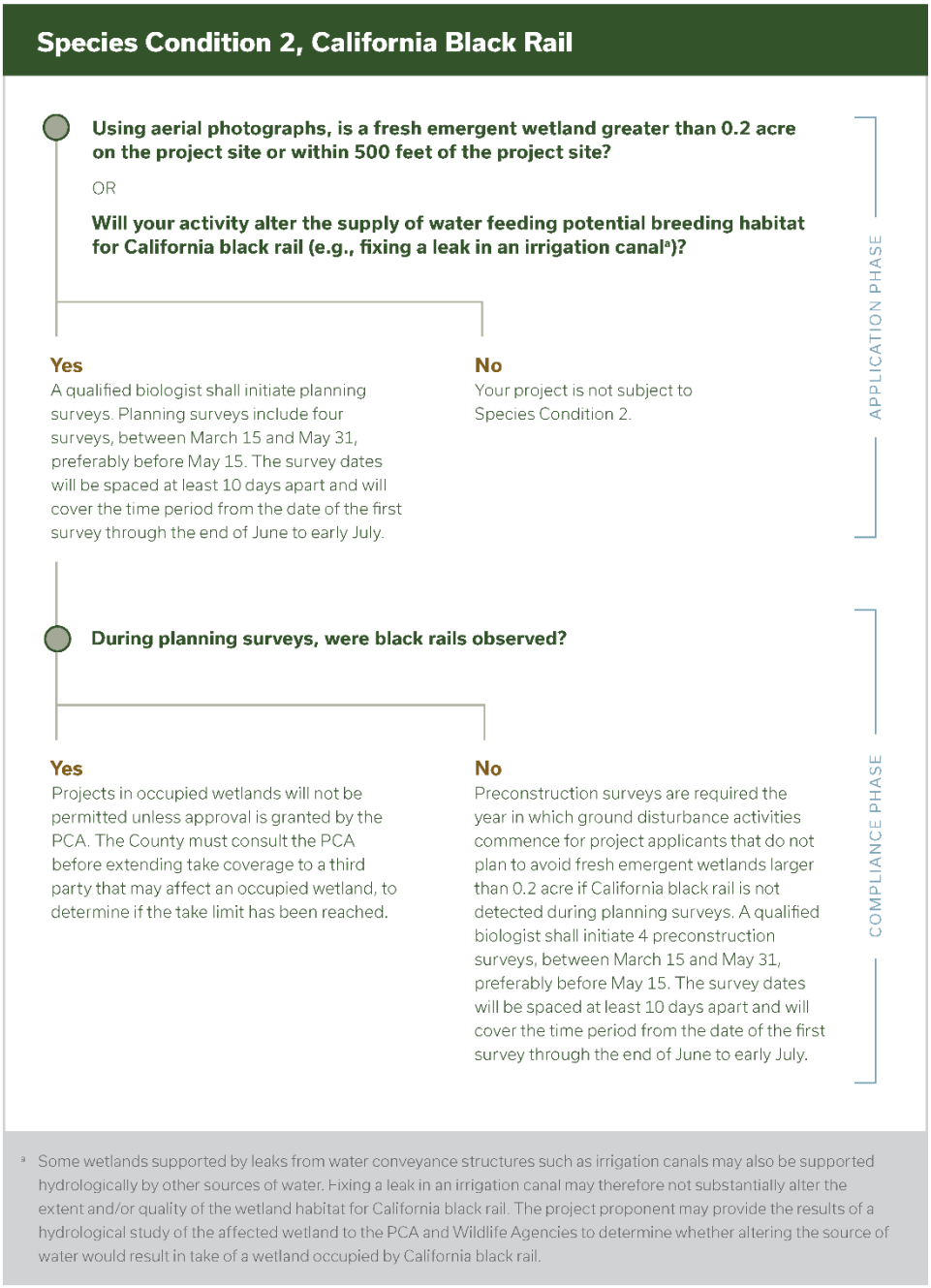

Species Condition 3, Western Burrowing Owl

Species Condition 3 requires preconstruction surveys if the project site is in the Valley and includes the following communities and habitat features:

- Grassland
- Vernal pool complex
- Semi-natural (agriculture)
- Other agriculture
- Rural residential and urban community if potential burrow sites are available

- Man-made structures such as underground pipes, irrigation canal banks, ditches
- Banks of intermittent drainages if potential burrow sites are available

Preconstruction surveys are also required if a qualified biologist determines that western burrowing owls may be present on a site.

If burrowing owls are detected during preconstruction surveys, the applicant will be required to implement avoidance measures as described below.

Surveys

Survey Area

The proposed footprint of disturbance and within 250 feet of the proposed footprint of disturbance.

Survey Protocol

A qualified biologist will survey the survey area by walking line transects, spaced 20 to 60 feet apart, adjusting for vegetation height and density. At the start of each transect and at least every 300 feet, the surveyor, using binoculars, shall scan the entire project area for western burrowing owls. During walking surveys, the qualified biologist will record all potential burrows used by western burrowing owls, as determined by the presence of one or more western burrowing owls, pellets, prey remains, whitewash, or decoration. Some western burrowing owls may be detected by their calls; therefore, observers will also listen for western burrowing owls during the survey. Adjacent parcels under different land ownership will be surveyed only if access is granted. If portions of the survey area are on adjacent parcels for which access has not been granted, the qualified biologist will get as close to the non-accessible area as possible and use binoculars to look for western burrowing owls.

The qualified biologist will record and map the presence of western burrowing owl or their sign within the survey area. Surveys must begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total) or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites.

Planning Surveys

If the project is in the Valley, then during the planning and application phase the applicant and their qualified biologist will need to assess the project site to determine whether preconstruction surveys will be required, based on the presence of the natural communities and habitat features listed above. This assessment may require surveying the site for habitat features such as burrows, man-made structures, or banks of intermittent drainages.

If during the site assessment it is determined that preconstruction surveys will be required, the applicant may, at their discretion, conduct surveys for burrowing owls during the planning and application phase. Planning surveys (i.e., during the planning and application phase) for burrowing owls are advisable in cases where implementation of the avoidance measures could potentially adversely affect project budget or schedule. The applicant can use the survey results to plan ahead in terms of project timing and potential construction buffers/setbacks.

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Preconstruction Surveys

If preconstruction surveys are required, a qualified biologist must conduct two surveys within 15 days prior to ground disturbance to establish the presence or absence of western burrowing owls. The surveys will be conducted at least 7 days apart (if western burrowing owls are detected on the first survey, a second survey is not needed) for both breeding and non-breeding season surveys. All western burrowing owls observed will be counted and mapped.

Preconstruction survey results will be valid only for the season (breeding or non-breeding) during which the survey was conducted.

Construction Related Avoidance Measures

Avoidance Measures

Breeding season (February 1 to August 31). If western burrowing owls are found during the breeding season, the project applicant will avoid all nest sites (i.e., burrows or habitat structures that are likely housing a nest, as determined by a qualified biologist) that could be disturbed by covered activities during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging).

If western burrowing owls are found during the breeding season, a qualified biologist will clearly mark (e.g., with flagging or fencing) a 250-foot avoidance area around the nest site(s). Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the avoidance area will be increased such that activities are far enough from the nest so that the bird(s) no longer display this agitated behavior. The avoidance area will remain in place until the chicks have fledged or as otherwise determined by the qualified biologist.

Covered activities may only occur within the 250-foot buffer zone during the breeding season only if a qualified raptor biologist monitors the nest and determines that the activities do not disturb nesting behavior, or the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged and moved offsite. The qualified biologist may use measures such as visual screens to further reduce the size of the avoidance area with Wildlife Agency approval and provided the qualified biologist confirms that such measures do not cause agitated behavior.

Non-breeding season (September 1 to January 31). If western burrowing owls are found during the non-breeding season, a qualified biologist will clearly mark (e.g., with flagging or fencing) a 160-foot avoidance area around the around active burrows. The qualified biologist may use measures such as visual screens to further reduce the size of the avoidance area with Wildlife Agency approval and provided the qualified biologist confirms that such measures do not cause agitated behavior.

During the non-breeding season only, if a project cannot avoid occupied burrows after all alternative avoidance and minimization measures are exhausted, as confirmed by the Wildlife Agencies, a qualified biologist may passively exclude birds from those burrows. A burrowing owl exclusion plan must be developed by a qualified biologist consistent with the most recent guidelines from the Wildlife Agencies (e.g., California Department of Fish and Game 2012) and approved by the PCA and the Wildlife Agencies. Burrow exclusion will be conducted for burrows located in the project footprint and within a 160-foot avoidance area, as necessary.

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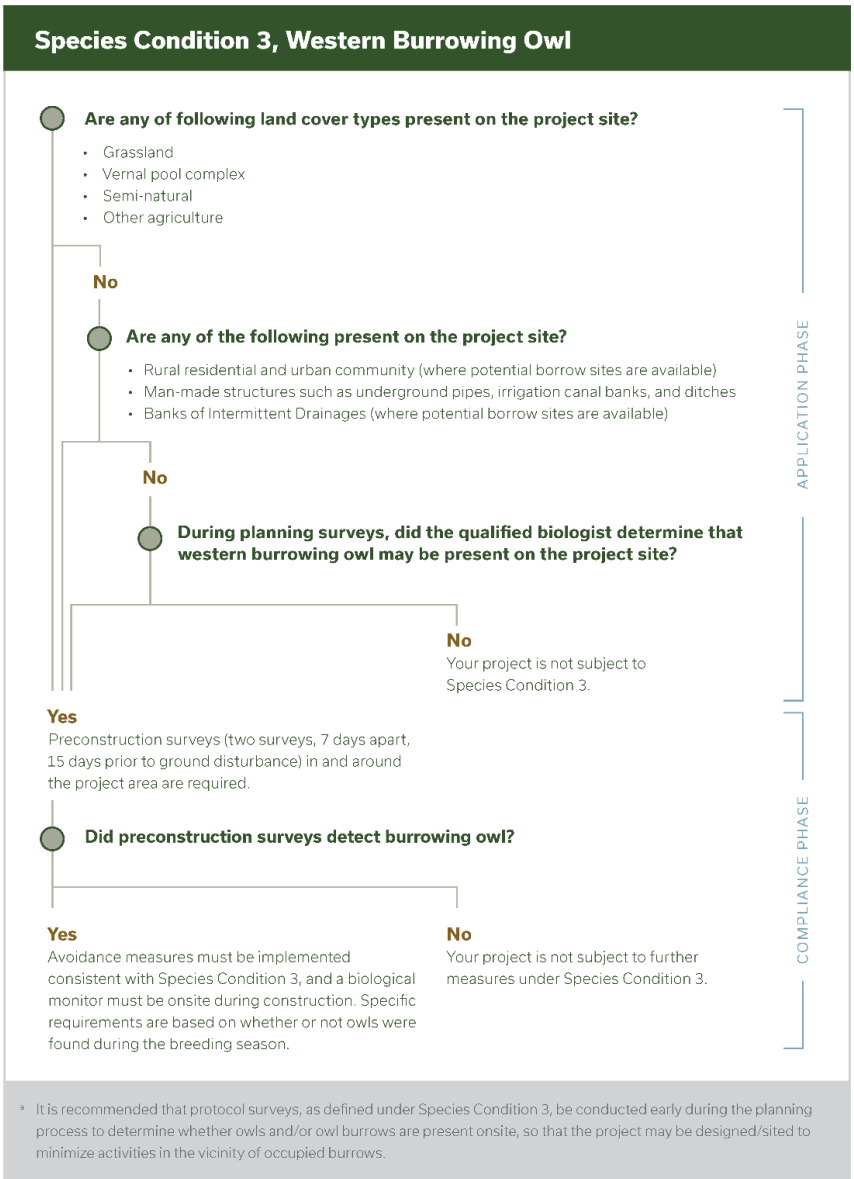
Construction Monitoring

A qualified biologist will be present on the site daily to ensure that no covered activities occur within the avoidance area. The qualified biologist performing the construction monitoring will ensure that effects to western burrowing owls are minimized. If monitoring indicates that construction outside of the avoidance area is affecting nesting, the avoidance area will be increased if space allows (e.g., move staging areas farther away). If space does not allow, construction will cease until the young have fledged from all nests within the avoidance area and beyond the avoidance area where nesting western burrowing owl are disturbed by covered activities (as confirmed by a qualified biologist) or until the end of the breeding season, whichever occurs first.

A qualified biologist will train construction personnel on the avoidance procedures, buffer zones, and protocols in the event that a burrowing owl flies into an active construction zone (i.e., outside the buffer zone).



Species Condition 4a, Tricolored Blackbird Nesting

Species Condition 4a applies to applicants for which the project site includes an active tricolored blackbird colony, or an active tricolored blackbird colony is within 1,300 feet of the project site. A routinely updated map of active colony sites can be found here [provide LINK].

Species Condition 4a also applies to project applicants for which the project site is below 300 feet in elevation and includes any of the following communities or habitat elements:

- Grassland
- Aquatic/Wetland Complex
- Field Agriculture when planted in wheat, triticale, or similar crop
- Patches of thorny or spiny vegetation such as blackberry, nettle, or thistle.

Surveys

Survey Area

The survey area includes the project work area (area where ground disturbance will occur, including temporary and permanent disturbance) and all land within 1,300 feet of project work area, including adjacent parcels. Where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the biologist will scan all potential nest colony site(s) from adjacent property, roadsides, or other safe, publicly accessible viewpoints without trespassing, using binoculars and spotting scope.

Survey Protocol

A qualified biologist should perform the survey of nesting habitat following protocol provided in Appendix C or a similar protocol approved by the PCA and Wildlife Agencies. The qualified biologist must coordinate with the County Project Lead if they wish to use a protocol other than Appendix C, and if appropriate, the County Project Lead will submit the alternative protocol to the PCA for review.

Planning Surveys

A qualified biologist should visit the survey area during the nesting season (March 15 to July 31) to assess whether nesting habitat is present and being actively used by tricolored blackbird. Planning surveys should be conducted at least twice with at least one month between surveys during the nesting season 1 year prior to initial ground disturbing for the Covered Activity, if feasible, and the same year of ground disturbance by the Covered Activity (required). If nesting habitat is not present, no further surveys are needed under Condition 4a. If nesting habitat is present, the applicant must conduct surveys consistent with the protocol described above.

Preconstruction Surveys

If nesting habitat is present in the survey area and project work will occur during the nesting season, a qualified biologist must conduct three surveys within 15 days prior to initiation of ground disturbance; one of the surveys must occur within 5 days of the initiation ground disturbance. These surveys must follow approved survey protocol as described above.

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Construction Related Avoidance Measures

Avoidance Area

Construction activity or other covered activity that may disturb an occupied nest colony site, as determined by a qualified biologist, will be prohibited during the nesting season (March 15 through July 31 or until the chicks have fledged or the colony has been abandoned on its own) within a 1,300-foot avoidance area around the nest colony, as follows:

- If the colony is nesting in a wetland, the buffer must be established from the outer edge of all hydric vegetation associated with the colony.
- If the colony is nesting in non-wetland vegetation (e.g., Himalayan blackberry), the buffer must be established from the edge of the colony substrate.

The nesting colony and the buffer constitute the avoidance area. The avoidance area must be clearly marked to prevent project-related activities from occurring within the avoidance area.

This avoided area may be modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, in areas with dense forest, buildings, or other features between the covered activity and the occupied active nest colony; where there is sufficient topographic relief to protect the colony from excessive noise or visual disturbance; where sound curtains have been installed; or other methods developed in consultation with the Wildlife Agencies where conditions warrant reduction of the buffer distance. If the applicant and their qualified biologist wish to request a buffer reduction, they should make this request with the County Project Lead, who will facilitate the request with the Program Biologist.

If tricolored blackbirds colonize habitat adjacent to Covered Activities after the activities have been initiated, the project applicant must reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in consultation with the Wildlife Agencies and PCA.

Construction Monitoring

A qualified biologist must monitor any active nesting colonies that occur within the avoidance area, to verify the project activities are not disrupting the nesting behavior of the colony.

The County Project Lead will coordinate with the PCA to determine the frequency of monitoring, based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on tricolored blackbird are minimized. The qualified biologist will train construction personnel on the avoidance procedures.

If the qualified biologist determines that the Covered Activity is disrupting nesting and/or foraging behavior, the qualified biologist must notify the project applicant immediately, and the project applicant must notify the PCA within 24 hours to determine additional protective measures that can be implemented.

The qualified biologist has the authority to stop project activities until additional protective measures are implemented. Additional protective measures may include:

- Increasing the size of the buffer (within the constraints of the project site)

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- Delaying activities causing the disruption until the colony is finished breeding and fledglings have left the nest site
- Temporarily relocating staging areas
- Temporarily rerouting access to the project work area

Additional protective measures must remain in place until the qualified biologist determines tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist must have the authority to stop Covered Activities as needed until the additional protective measures are modified and nesting behavior of tricolored blackbird returns to normal.

The project proponent must notify the PCA and Wildlife Agencies within 24 hours if active nests (i.e., with eggs or nestlings) are abandoned. The qualified biologist must work with the Wildlife Agencies to determine appropriate actions for salvaging the eggs or live nestlings. Notification to PCA and Wildlife Agencies must be via telephone or email, followed by a written incident report. Notification must include the date, time, location, and circumstances of the incident.

Species Condition 4b, Tricolored Blackbird Foraging

Species Condition 4b applies to applicants for which the project site is within 3 miles of a nesting colony mapped here [provide LINK] and construction will occur within the nesting season (March 15 to July 31). A survey of foraging habitat will be conducted within the following communities to determine whether foraging habitat is being actively used by foraging tricolored blackbirds:

- Grassland
- Rice Agriculture
- Field Agriculture
- Aquatic/Wetland Complex
- Vernal Pool Complex

Surveys

Survey Area

The survey area includes foraging habitat, as defined by the communities listed above, within the project work area and 1,300 feet of project work area, including adjacent parcels.

Survey Protocol

The qualified biologist will observe and listen from accessible vantage points that provide views of the entire survey area. If such vantage points are not available, the qualified biologist must survey from multiple vantage points to ensure that the entire survey area is surveyed. Each survey shall last 4 hours, and begin no later than 8:00 a.m.

In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist will scan all foraging habitat from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for tricolored blackbird foraging activity.

The qualified biologist will map the locations on the site and within a 1,300-foot radius around the project site where tricolored blackbirds are observed and record an estimate of the numbers of tricolored blackbirds observed (estimated by 10s, 100s, or 1,000s), the frequency of visits (e.g., if individuals or a flock makes repeated foraging visits to the site during the survey period), whether tricolored blackbirds are leaving the site with food in their bills, and the direction they fly to/from.

Planning Surveys

Planning surveys for tricolored blackbirds in foraging habitat are not needed.

Preconstruction Surveys

If foraging habitat is present in the survey area and project work will occur during the nesting season (March 15 to July 31) a qualified biologist must conduct two surveys approximately one week apart, with the second survey occurring within 5 calendar days of initiating ground-disturbing covered activities.

Construction Related Avoidance Measures

Avoidance Area

Construction activity or other covered activities that may disturb foraging tricolored blackbirds, as determined by a qualified biologist, will be prohibited within 1,300-feet of the foraging site to the extent feasible during the nesting season. The avoidance area must be clearly marked to prevent project-related activities from occurring within the buffer zone.

This buffer may be modified to a minimum of 300 feet, with written approval from the Wildlife Agencies, under the following circumstances:

- In areas with dense forest, buildings, or other features between the project activities and the actively used foraging habitat;
- Where there is sufficient topographic relief to protect foraging birds from excessive noise or visual disturbance; or
- In consultation with the Wildlife Agencies if other conditions warrant reduction of the buffer distance.

If tricolored blackbirds begin using foraging habitat adjacent to project activities after the activities have been initiated, the project applicant shall reduce disturbance through establishment of buffers or noise reduction techniques or visual screens, as determined in coordination with the County Project Lead and PCA, who must consult with the Wildlife Agencies.

If the survey results indicate that the area provides marginal foraging habitat (e.g., tricolored blackbirds were observed foraging, but only briefly, and most were not successfully capturing prey), or site specific conditions may warrant a reduced buffer, the applicant may coordinate with County Project Lead to reduce avoidance requirements. The County Project Lead must request the PCA technical staff to consult with the Wildlife Agencies, to evaluate whether the project needs to avoid the foraging habitat or whether a reduced buffer may be appropriate. In such cases, additional surveys may be needed to assess site conditions and the value of the foraging habitat.

Construction Monitoring

A qualified biologist must monitor foraging habitat that occurs within the avoidance area, to verify the project activities are not disrupting tricolored blackbird foraging behavior during the nesting season.

The County Project Lead will coordinate with the PCA to determine the frequency of monitoring, based on the frequency and intensity of construction activities and the likelihood of disturbance of the active nest. In most cases, monitoring will occur at least every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on tricolored blackbird are minimized. The qualified biologist will train construction personnel on the avoidance procedures and buffer zones.

If the qualified biologist(s) determines that the Covered Activity is disrupting foraging behavior, the qualified biologist(s) must notify the project applicant immediately, and the project applicant must notify the PCA within 24 hours to determine additional protective measures that can be implemented.

The qualified biologist(s) must have the authority to stop project activities until additional protective measures are implemented. Additional protective measures may include:

- Increasing the size of the buffer (within the constraints of the project site)
- Temporarily relocating staging areas
- Temporarily rerouting access to the project work area

Additional protective measures must remain in place until the qualified biologist(s) determine(s) tricolored blackbird behavior has normalized. If additional protective measures are ineffective, the qualified biologist(s) must have the authority to stop project activities as needed until the additional protective measures are modified and nesting behavior of tricolored blackbird returns to normal.

Species Condition 5, Giant Garter Snake

Species Condition 5 applies for project sites within the geographic range of giant garter snake habitat [provide LINK] with the following communities on or adjacent to the project site (i.e., within 200 feet of the project site:

- Aquatic/Wetland Complex (Fresh Emergent Marsh, seasonal wetlands, and ponds)
- Rice Agriculture
- Riverine/Riparian in Low-gradient Streams
- Managed Open Water (sloughs, small lakes, irrigation and drainage canals)

If there is any question about the suitability of the habitat to support giant garter snakes and/or potential for species occurrence, USFWS and CDFW should be consulted.

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Surveys

Survey Area

The survey area includes the communities listed above on and within 200 feet of the project site. If the surveyor cannot legally access neighboring land within 200 feet of a project site, the qualified biologist may survey the adjacent parcel with binoculars or a spotting scope.

Survey Protocol

Giant garter snake surveys will be conducted according to the USFWS's *Standard Avoidance and Minimization Measures During Construction Activities in Giant Garter Snake* (Thamnophis gigas) *Habitat*[12] or the current Wildlife Agency–approved protocol (Appendix C). If there is any deviation in the written text below and the formal USFWS guidelines, then the USFWS guidelines or otherwise current Wildlife Agency–approved protocol takes precedence.

Preconstruction Surveys

If planning surveys identify habitat within or adjacent to the project site, and the project applicant cannot avoid effects of construction activities, a qualified biologist will conduct preconstruction clearance surveys using USFWS and CDFW-approved methods within 24 hours prior to construction activities within identified giant garter snake aquatic and adjacent upland habitat. If construction activities stop for a period of 2 weeks or more, the qualified biologist will conduct another preconstruction clearance survey within 24 hours of resuming construction activity.

Construction Related Avoidance Measures

If suitable habitat is present on, or adjacent to, the project site the project applicant will implement the following measures.

Avoidance Area

The project proponent will conduct no in-water/in-channel activity and will maintain a permanent 200-foot non-disturbance avoidance area from the outer edge of suitable habitat.

Minimization Measures

If the project proponent cannot avoid effects of construction activities, the project applicant or qualified biologist will implement the following measures to minimize effects of construction projects after conducting preconstruction clearance surveys.

- Restrict all construction activity involving disturbance of giant garter snake habitat to the snake's active season, May 1 through October 1.
- Install temporary fencing to identify and protect adjacent marshes, wetlands, and ditches from encroachment from construction equipment and personnel.
- Apply hay bales, filter fences, vegetative buffer strips, or other accepted practices appropriately to maintain water quality and limit construction runoff into wetlands. No

[12] U.S. Fish and Wildlife Service. 2015. *Standard Avoidance and Minimization Measures During Construction Activities in Giant Garter Snake* (Thamnophis gigas) *Habitat*. [provide LINK]. Available: http://www.fws.gov/sacramento/es/Survey-Protocols- Guidelines/Documents/GGS%20Appendix%20C.pdf.

plastic, monofilament, jute, or similar erosion control matting that could entangle snakes or other wildlife will be permitted.

- In areas where construction is to take place, the qualified biologist will work with the project applicant to encourage giant garter snakes to leave the site on their own by dewatering all irrigation ditches, canals, or other aquatic habitat (i.e., removing giant garter snake aquatic habitat) between April 15 and September 30. Dewatered habitat must remain dry, with no water puddles remaining, for at least 15 consecutive days prior to excavating or filling of the habitat. If a site cannot be completely dewatered, a qualified biologist may net and salvage giant garter snake prey items to discourage use of the area by giant garter snakes.
- A qualified biologist will provide environmental awareness training for construction personnel. The qualified biologist may distribute approved brochures or other materials that describe resources protected under the Plan and methods for avoiding effects. The qualified biologist and brochure will instruct construction personnel to immediately notify the project's biological monitor and USFWS and CDFW if a live giant garter snakes are encountered during construction activities. The qualified biologist will stop construction in the vicinity of the snake, monitor the snake, and allow the snake to leave on its own. The qualified biologist will remain in the area for the remainder of the work day to ensure the giant garter snake is not harmed or, if it leaves the site, does not return. The qualified biologist will work with the PCA, USFWS, and CDFW to redirect the snake away from the disturbance area within 3 days of reporting the snake's presence at the construction site to USFWS and CDFW.

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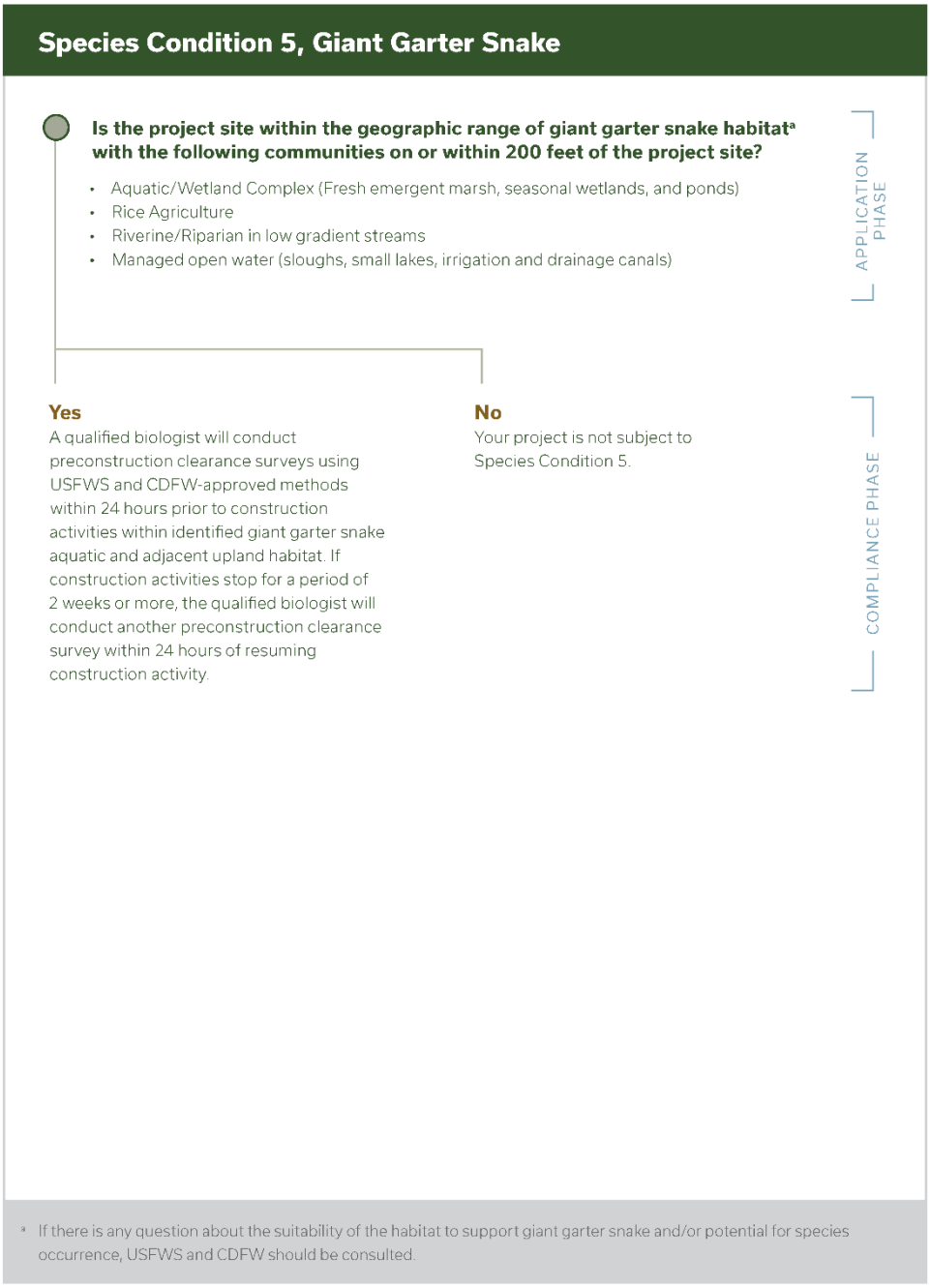

Species Condition 7a, Central Valley Steelhead and Central Valley Fall-/Late Fall-Run Chinook Salmon (Salmonids) – Project Design for Salmonid Passage

Species Condition 7a applies to applicants with project sites with impacts within the Stream Systems of salmonid streams in the Plan Area [link will be provided on Website]. Project applicants must apply guidelines for salmonid passage into project design at the planning and application phase.

Surveys

Planning Surveys

Planning surveys are required to map in-channel habitat features within the project site and identify those that would be affected by project activities. Project design depends on the type of in-channel features at the project site (e.g., active spawning habitat). Mitigation for effects to in-channel features depends on the type of in-channel features affected. In-channel features that must be mapped by a qualified biologist include, but are not limited to, pools, riffles, large woody debris, rocks/boulders, spawning gravel, and presence of redds.

Preconstruction Surveys

Preconstruction surveys are not required for this condition. See Species Condition 7b for salmonid planning surveys.

Project Design Guidelines for Salmonid Passage at Stream Crossings

All covered activities within salmonid habitat will adhere to the *NMFS Guidelines for Salmonid Passage at Stream Crossings* (National Marine Fisheries Service 2001) (or most current guidance provided by NMFS), where feasible, unless otherwise noted in Species Conditions 7a and 6b. Project applicants must also consult the *California Salmonid Stream Habitat Restoration Manual* (California Department of Fish and Game 2011) for specific in-stream design features and protocols to enhance habitat for salmonids.

Streamflow through new and replacement culverts, bridges, and over stream gradient control structures must meet the velocity, depth, and other passage criteria for salmonid streams as described by NMFS and CDFW guidelines or as developed in cooperation with NMFS and CDFW to accommodate site-specific conditions (Guidelines for Salmonid Passage at Stream Crossings [National Marine Fisheries Service 2001]).

Key guidelines described in *Guidelines for Salmonid Passage at Stream Crossings* (National Marine Fisheries Service 2001) are described below.

- For stream crossings, the following structure types (listed in descending order of preference) will be considered:
    1. Free-span bridges that fully span (from top-of-bank to top-of bank) the stream and allow for long-term dynamic channel stability.
    2. Streambed simulation approaches, including a bottomless arch, embedded culvert design, or ford that maintains the natural streambed. The structure shall be sufficiently large and embedded deep enough into the channel to allow the natural movement of bedload and formation of a stable bed inside the culvert or structure. There should not be an excessive drop at the outlet or too high water velocity through the passage structure.
    3. Non-embedded culvert (often referred to as a hydraulic design), for use in low-gradient areas, that allows fish passage.
    4. Baffled culvert (creases in the culvert create a series of short high-velocity runs and low-velocity backwater areas that allow the fish to swim in short bursts and then rest), for use in high-gradient areas, that allows fish passage.

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If the project's site is in an active salmonid spawning area, only free-span bridges or streambed simulations (i.e., culverts with a bed that simulates the natural streambed) are acceptable (National Marine Fisheries Service 2001).

Most stream crossings, regardless of the design (i.e., bridge or culvert) or material used, will be designed to accommodate the 100-year peak floodflow with appropriate clearance to prevent structural damage to the crossing, where feasible. In the Valley, the 100-year floodplain can be thousands of feet wide on some Stream Systems, so it may not be feasible to build stream crossings to accommodate the 100-year peak floodflow. Unless culverts are intentionally designed to be undersized for storm water detention or retention, culverts must at a minimum accommodate the 100-year flood without causing any adjacent flooding around the crossing that could result in mass erosion of the bank or the structural support of the crossing. (Note: State or local requirements may require that the 200-year floodplain be considered for stream crossings. The standards in this section do not supersede those more stringent requirements).

For in-stream culvert installation or replacement projects that may affect stream hydraulics, the project must be designed so that the elevations of surface waters in the stream reach exhibit gradual flow transitions, both upstream and downstream. Abrupt changes in water surface and velocities must be avoided, with no hydraulic jumps, turbulence, or drawdown at the entrance. Hydraulic controls may be necessary to provide resting pools, concentrate low flows, prevent erosion of streambed or banks, and allow passage of bedload material (National Marine Fisheries Service 2001).

If a free-span bridge is not feasible, bridge piers and footings will be designed to have minimum impact on the stream. This applies in all Stream Systems, not just active salmonid spawning areas. A hydraulic analysis must be prepared that shows piers or footings will not cause significant scour or channel erosion. Whenever possible, the span of bridges will also allow for upland habitat beneath the bridge to provide undercrossing areas for wildlife species that will not enter the stream. Native plantings, natural debris, or large rocks (not riprap) will be installed under bridges to provide wildlife cover and encourage the use of crossings.

All in-stream structures will be aligned with the stream, with no abrupt changes in flow direction upstream or downstream of the crossing. This requirement can often be accommodated by changes in road alignment or slight elongation of the culvert. Where elongation would be excessive, such a solution must be weighed against a better crossing alignment and/or modified transition sections upstream and downstream of the crossing. Project components that may result in disruption of stream hydraulics and alterations to the natural streambed will be anticipated and mitigated in the project design (National Marine Fisheries Service 2001).

If structural changes to the channel bed are necessary as part of project design, provisions for fish passage will be incorporated into the project design. If the project applicant has the opportunity to incorporate new fish passage into the project design in an area where fish passage is currently lacking, the project applicant will work with the PCA to determine if new fish passage would support Covered Species recovery.

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Species Condition 7b, Central Valley Steelhead and Central Valley Fall-/Late Fall-Run Chinook Salmon (Salmonids) – Avoidance and Minimization Measures

Species Condition 7b applies to applicants with project sites within the Stream Systems of salmonid streams in the Plan Area. This includes in-stream enhancement projects such as those to improve fish passage and clean spawning gravel.

Surveys

Planning and preconstruction surveys are not required for this condition. The applicant must assume species presence in suitable habitat, and implement the construction related avoidance and minimization measures as follows.

Construction Related Avoidance and Minimization Measures

Preconstruction Relocation

Prior to the start of work and during the installation of water diversion structures, if covered salmonids are present and it is determined that they could be injured or killed by construction activities, a qualified biologist will first attempt to gently herd covered salmonids away from work areas and exclude them from work areas with nets, if practicable. If herding is not practicable or is ineffective, a qualified biologist shall capture covered salmonids and transfer them to another appropriate reach. In considering the relocation, the qualified biologist will determine whether relocation is ecologically appropriate using a number of factors, including site conditions, system carrying capacity for potential relocated fish, and flow regimes (e.g., if flows are managed). If covered salmonids are to be relocated, the following factors will be considered when selecting release site(s):

- Similar (within 3.6°F [2 degrees Celsius (°C)]) water temperature as capture location. Fish must be held in water that is at the same temperature as release sites at time of release. If raising or lowering of water temperature in holding apparatus is required, water temperatures in holding apparatus containing fish should not be changed at a rate that exceeds 1.8°F (1°C) every 2 minutes and should not exceed 41°F (5°C) per hour.
- Ample habitat availability prior to release of captured individuals.
- Presence of others of the same species so that relocation of new individuals will not upset existing predator—prey dynamics.
- Carrying capacity of the relocation site.
- Potential for relocated individuals to transport disease.
- Low likelihood of fish reentering work site or becoming impinged on exclusion net or screen.

Per the NMFS Biological Opinion, projects requireing fish relocation must provide a summary narrative detailing fish relocation and survey activities, including the number and species of fish captured and the number and species injured or killed. Any injuries or mortality from a fish relocation site that exceeds 3 percent of the affected Covered Species shall have an explanation describing why. Any injuries or mortality from a fish survey that exceeds 5 percent of the affected Covered Species shall have an explanation describing why.

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Capture and relocation of covered salmonids is not required at individual project sites when site conditions preclude reasonably effective operation of capture gear and equipment, or when the safety of the qualified biologist conducting the capture may be compromised.

Fish Passage During Construction

Fish passage through dewatered channel sections shall be maintained at all times during the adult and juvenile migration season on streams with covered salmonids to allow for unimpeded passage of migrating adults and juveniles (smolts). Fish passage shall also be maintained during summer on streams supporting summer rearing of covered salmonids to allow for seasonal movement of resident (over-summering) fish when the natural channel segment within the vicinity of work areas also supports the movement of resident fish.

To allow for fish passage, the diversion shall:

- Maintain continuous flows through a low flow channel in the channel bed or an adjacent artificial open channel
- Present no vertical drops exceeding six inches and follow the natural grade of the site
- Maintain water velocities that shall not exceed 1.5 feet per second and provide velocity refugia, as necessary
- Maintain adequate water depths consistent with normal conditions in the project reach
- Be lined with cobble/gravel to simulate stream bottom conditions
- Be checked daily to prevent accumulation of debris at diversion inlet and outlet

A closed conduit pipe shall not be used for fish passage. Pipes may be used to divert flow through dewatered channel segments on streams that do not support migratory species, or during low flow conditions when the channel segment within the vicinity of work areas at the time of construction does not support movement of fish.

Spawning Gravel Cleaning

Spawning gravel cleaning and replacement activities should be timed to occur during the dry season and after fry have emerged from the gravel (generally July 1 through October 1). Applicants may submit requests for extension of this work window to the PCA for review by CDFW and NMFS. In streams that receive summer irrigation flows, spawning gravel cleaning and replacement activities should be timed to occur after the irrigation season has ended and stream flows are at a minimum to minimize the need for site dewatering (if needed) and to minimize the potential for downstream turbidity and sedimentation effects. If dewatering is needed, other applicable avoidance and minimization measures shall be implemented prior to commencing spawning gravel cleaning and replacement activities.

Gravel to be placed in streams shall be washed (to remove fines), rounded (i.e., non-angular) and spawning-sized (between 0.4 and 4.0 inches [10 to 100 millimeters] in diameter). For gravel augmentation projects, gravels should be placed such that high flows naturally sort and distribute the material.

Use of Riprap

When riprap is required to be placed below the ordinary high-water mark, it shall have a cleanliness value of no less than 85 percent and shall be covered with clean, uncrushed rock consistent with NMFS spawning gravel size requirements (currently 98 to 100 percent of the

clean, uncrushed rock must pass through a 4-inch sieve, and 60 to 80 percent must pass through a 2-inch sieve). Of the total volume of rock placed, 50 percent shall consist of clean, uncrushed rock. This measure may be updated with more current standards.

Species Condition 8, Valley Elderberry Longhorn Beetle

Species Condition 8 applies to applicants with project sites in the following areas below 650 feet elevation:

- Riparian constituent habitat
- Valley oak woodland natural community
- Stream System (excluding frequently disced or flooded agricultural lands such as rice that would not likely support elderberry shrubs)

If take is authorized, the project applicant must coordinate with the PCA to provide transplants and seedlings/cuttings for planting in suitable habitat on the Reserve System consistent with the *Framework for Assessing impacts to the Valley Elderberry Longhorn Beetle* (Desmocerus californicus dimorphus) (Framework) (U.S. Fish and Wildlife Service 2017).

Surveys

Survey Area

The survey area includes the project work area and all land within 165 feet of the project work area.

Survey Protocol

A qualified biologist shall perform the survey/habitat assessment to map all elderberry shrubs within the survey area following protocol provided in Appendix C, or a similar protocol approved by the PCA and Wildlife Agencies.

Planning Surveys

A qualified biologist will conduct planning surveys to assess presence of suitable valley elderberry longhorn beetle habitat or exit holes in elderberry shrubs. The qualified biologist will map the locations of elderberry shrubs, elderberry shrubs with exit holes, natural communities, and constituent habitats in the survey area, clearly identifying whether elderberry shrubs occur within riparian or non-riparian area. The map and a project site description consistent with the survey protocol will be included with the project application.

The qualified biologist will quantify and report to the County in the project application, the number of elderberry stems one inch or greater in diameter that will be adversely affected. The PCA will use this information to determine the number of plantings or cuttings to plant in suitable habitat on the Reserve System to help offset the loss of elderberry plants, consistent with the Framework.

Preconstruction Surveys

Preconstruction surveys are not required for this condition.

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Construction Related Avoidance Measures

Avoidance Area

To fully avoid take of valley elderberry longhorn beetle, the project applicant must maintain an avoidance area of at least 165 feet from any elderberry shrubs with stems greater than one inch in diameter at ground level. A qualified biologist will demarcate the avoided area with flagging or fencing.

Elderberry shrubs within the project footprint and 165 feet of the project footprint are assumed to be adversely affected, resulting in take of valley elderberry longhorn beetle. This avoidance area may be modified, with written approval from the PCA and the Wildlife Agencies, depending on the nature of project activities. If project activities are permitted to occur within 165 feet of an elderberry shrub, the activity should be conducted outside of the valley elderberry longhorn beetle flight season (March 1 – July 31).

Salvage of Elderberry Shrubs or Cuttings

Prior to construction, a qualified biologist will salvage elderberry plants and/or cuttings within the project footprint that cannot be avoided and provide the plants and/or cuttings to the PCA. The PCA will be responsible for transplanting salvaged elderberry onto the Reserve System.

Construction Monitoring

A qualified biologist will monitor work area to ensure that project activities do not occur in the avoidance area.

The County Project Lead will coordinate with the PCA to determine the frequency of monitoring, based on the frequency and intensity of construction activities. In most cases, monitoring will occur every other day, but in some cases, daily monitoring may be appropriate to ensure that direct effects on valley elderberry longhorn beetle are minimized. The qualified biologist will train construction personnel on the avoidance procedures and buffer zones.

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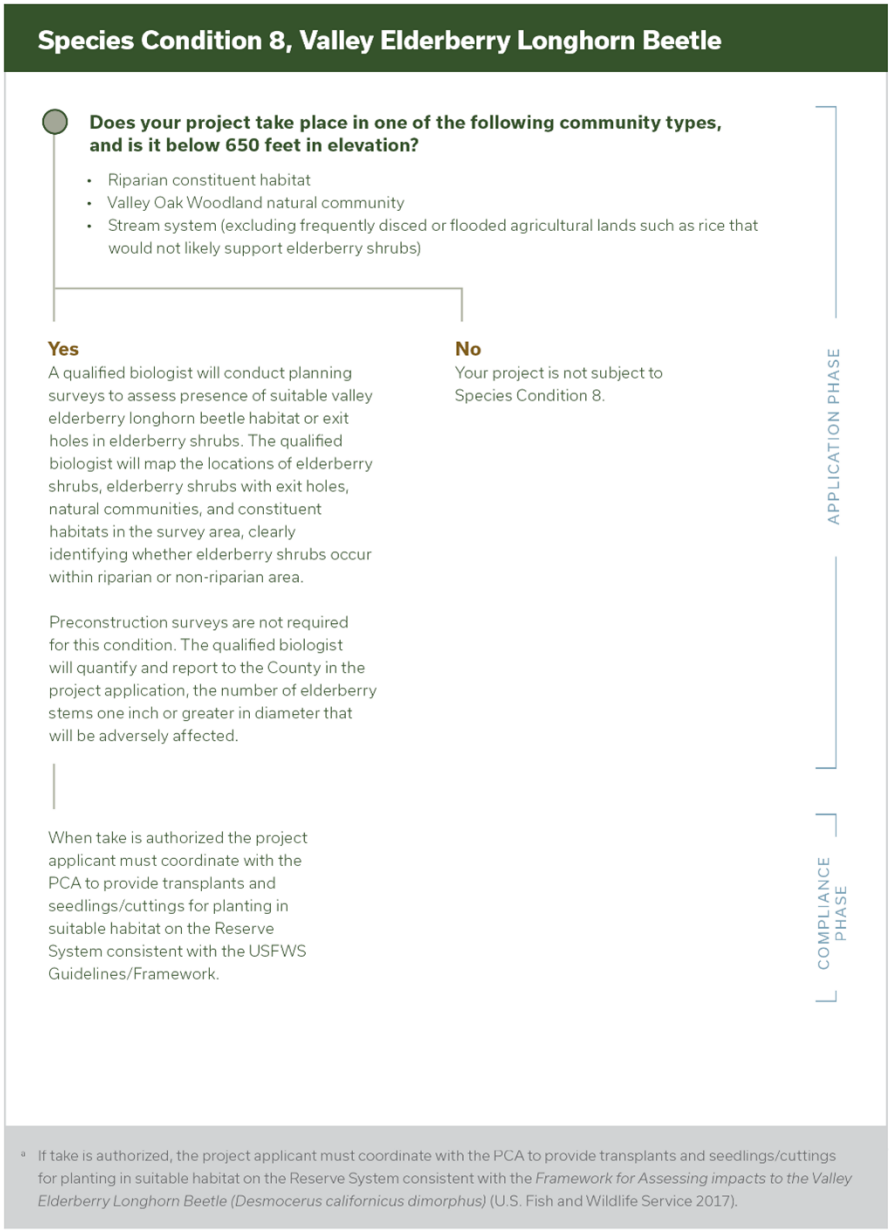

Species Condition 9, Conservancy Fairy Shrimp

Projects affecting Conservancy fairy shrimp are not anticipated for projects in unincorporated Placer County, therefore guidance on Conservancy fairy shrimp avoidance is not included in this user's guide. The reader may refer to Section 6.3.5.14 of the HCP/PCCP for details related to Species Condition 9.

Species Condition 10, Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp

Species Condition 10 applies during the Initial Survey Phase to applicants with project sites with vernal pools. The PCA or County will inform applicants if the Initial Survey Phase is in effect.

Surveys

The qualified biologist will enter vernal pool survey data directly into an iPad or tablet-based application ("app"). This app should be used in the field during the survey process to ensure data are entered accurately and promptly reported to the PCA and County. Data are submitted to the PCA and County directly from the app; no separate report or data need to be submitted.

The wetland delineation for the property to be surveyed **must be completed prior to** vernal pool branchiopod surveys.

The qualified biologist must coordinate with the County prior to conducting vernal pool surveys to upload the wetland delineation data to ArcGIS online, so that the wetland delineation data map of wetlands) can be integrated into the app for use in the field.

View or download instructions for using the app and submitting data to the PCA and County from the PCCP website.

Survey Area

Surveys are required for all vernal pools on the project site.

Survey Protocol

A qualified biologist will conduct wet season surveys for vernal pool fairy shrimp and vernal pool tadpole shrimp in vernal pools, as determined by wetland delineation. The qualified biologist will conduct surveys for vernal pool fairy shrimp and vernal pool tadpole shrimp in vernal pools, as determined by wetland delineation, following U.S. Fish and Wildlife Service's 2015 Survey Guidelines, with the following exceptions or deviations.

- Wet season surveys for vernal pool branchiopods will be conducted in **vernal pools** that are identified by a wetland delineation. No other aquatic features need to be surveyed for vernal pool branchiopods.
- One year of wet-season surveys is required. Dry season surveys are not required.
- All vernal pools on the project site must be surveyed.
- Surveys cannot be suspended if only one of the listed large branchiopods is determined to be present in a vernal pool.
- If presence is confirmed for **both** vernal pool fairy shrimp and vernal pool tadpole shrimp in an individual vernal pool, surveys may be stopped for that vernal pool.
- Vernal pools must be surveyed on every visit even if it is only to document percent inundation, except for pools where presence has been confirmed for **both** vernal pool fairy shrimp and vernal pool tadpole shrimp.
- Voucher specimens will not be collected during wet season surveys unless the identity of the mature shrimp is uncertain and cannot be identified in the field.

The qualified biologist will conduct protocol-level wet season surveys, consistent with USFWS Guidelines, with the following exceptions:

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- All vernal pools on the project site must be surveyed. Surveys cannot be suspended prior to completion, as allowed by the Guidelines, if one or more of the six listed large branchiopods, identified in the Guidelines is determined to be present.
- If presence is confirmed for vernal pool fairy shrimp and vernal pool tadpole shrimp in an individual vernal pool, surveys may be stopped for that vernal pool.
- The Guidelines define a complete survey as consisting of one wet-season and one dry-season survey conducted and completed in accordance with the Guidelines within a 3-year period. For the purposes of the Plan, only one wet-season survey is required; dry-season surveys are not required. Applicants must plan ahead to allow sufficient time to complete these surveys.
- Data to be collected at each vernal pool surveyed during the wet season survey will include the presence or absence of vernal pool fairy shrimp and vernal pool tadpole shrimp, species identity and the estimated abundance (10s, 100s, 1,000s) of immature and mature vernal pool fairy shrimp and vernal pool tadpole shrimp present, and estimated maximum surface area of the vernal pool.
- Data must be provided to the PCA in digital format using data forms provided by the PCA. Data forms require that each vernal pool be given a unique identification code that matches the identification code provided with the wetland delineation (see Chapter 3, *Box E, Aquatic Resources Checklist*).
- Voucher specimens will not be collected during wet season surveys unless the identity of the mature shrimp is uncertain and cannot be identified in the field.

Planning Surveys

Project applicants must provide results of vernal pool surveys to the PCA before commencing ground disturbance activities. The PCA strongly recommends conducting these surveys during the Planning Phase.

Preconstruction Surveys

Preconstruction surveys are not required for Species Condition 10.

Construction Related Avoidance Measures

Construction related avoidance measures are not required for Species Condition 10.

7.6 CARP Authorization Requirements

Avoidance within the PCCP Plan Area

Avoidance of aquatic resources is required within the RAA and in the Stream System (as described in CARP Section 6.3). Acquisition and preservation of land within the Stream System will occur when possible and when it can be demonstrated that the property to be acquired can be suitably managed as part of the HCP/NCCP Reserve System.

In the PFG, open space areas may be left within the project boundary, but in many cases their functions and services will mainly be for land use buffers, landscaping, flood control, aesthetic,

or recreational purposes rather than biological conservation. However, it may be necessary to set aside and protect areas within the PFG that contain special-status species, including rare plants, which are not covered by the PCCP.

Small, avoided areas are subject to secondary or indirect effects; for this reason, the CARP emphasizes avoidance of aquatic resources on a regional scale. Within the PFG area, onsite avoidance of aquatic resources is required when practicable in the Stream System or on adjacent lands that connect to the Stream System, the RAA, or existing preserves larger than 200 acres. When connected to a larger preserve area, these avoided resources will contribute to the ecological functions of the larger Stream System, RAA, or preserve. In addition to avoidance of aquatic resources of the Stream System under the CARP, the HCP/NCCP has specific avoidance criteria that are required for the "vernal pool complex" land type, which includes aquatic resources (HCP/NCCP Chapter 6, Section 6.3.2.1.1 - *Community Condition 1, Avoidance of Vernal Pool Complex Constituent Habitat*).

The DRC will need to evaluate Covered Activities within the PFG for practicable onsite avoidance approaches. Factors such as the resource's relationship to existing or potential reserves in the RAA and the location of the avoided resource within the Stream System need to be considered during the evaluation. The evaluation will determine the extent to which impacts on the avoided aquatic resource are reduced and/or eliminated, as well as mitigation requirements for direct and indirect effects. In some cases, the applicant may be required to provide information on the practicability of alternatives to the proposed action or revise their land plan to reduce impacts to aquatic resources. The County Project Lead will consult the Program Biologist for guidance in this determination.

CARP Authorization Conditions of Approval

Chapter 7, Section 7.5 of the CARP provides the following conditions which apply to all Covered Activities that have the potential to impact Aquatic Resources of Placer County:

Administrative

- All work within the Plan Area that impacts Aquatic Resources of Placer County shall be completed according to the plans and documents included in the CARP application, Water Quality Certification, and, if applicable, WDRs. All changes to those plans shall be reported to the Local Jurisdiction. Minor changes may require an amendment to the CARP Authorization, Water Quality Certification, and, if applicable, WDRs. Substantial changes may render the authorization, Water Quality Certification, and, if applicable, WDRs, void, and a new application may be required.
- A copy of the CARP conditions and Water Quality Certification and WDRs shall be given to individuals responsible for activities on the site. Site personnel, (employees, contractors, and subcontractors) shall be adequately informed and trained to implement all permit, Water Quality Certification, and WDR conditions and shall have a copy of all permits available onsite at all times for review by site personnel and agencies.
- Any construction within the Stream System shall be implemented in a way to avoid and minimize impacts to vegetation outside the construction area. All preserved wetlands, other Aquatic Resources of Placer County, and the Stream Zone shall be protected with

bright construction fencing. Temporary fencing shall be removed immediately upon completion of the project.

- Before beginning construction, the project Applicant must have a valid CARP authorization or waiver notice. In order to obtain a permit, the Applicant must pay all mitigation fees or purchase appropriate credits from an agency-approved mitigation bank.
- All deviations from plans and documents provided with the Application and approved by the Local Jurisdiction must be reported to the Local Jurisdiction immediately.

Erosion Control

- Erosion control measures shall be specified as part of the CARP application, and the application is not complete without them. All erosion control specified in the permit application shall be in place and functional before the beginning of the rainy season and shall remain in place until the end of the season. Site supervisors shall be aware of weather forecasts year-round and shall be prepared to establish erosion control on short notice for unusual rain events. Erosion control features shall be inspected and maintained after each rainfall period. Maintenance includes, but is not limited to, removal of accumulated silt and the replacement of damaged barriers and other features.
- All required setbacks shall be implemented according to the HCP/NCCP Condition 4 (HCP/NCCP Section 6.1.2).

Work Period

- All work in aquatic resources within the Stream System shall be restricted to periods of low flow and dry weather between April 15 and October 15, unless otherwise permitted by Local Jurisdictions and approved by the appropriate State and federal regulatory agency. Work within aquatic resources in the Stream System outside of the specified periods may be permitted under some circumstances. The Applicant must provide the Local Jurisdiction with the following information: a) the extent of work already completed; b) specific details about the work yet to be completed; and c) an estimate of the time needed to complete the work in the Stream System.

Restoration

- Following work in a stream channel, the low flow channel shall be returned to its natural state to the extent possible. The shape and gradient of the streambed shall be restored to the same gradient that existed before the work to the extent possible.
- Work shall not disturb active bird nests until young birds have fledged. To avoid impacts to nesting birds, any disturbance shall occur between September 1 and February 1 prior to the nesting season. Tree removal, earthmoving or other disturbance at other times is at the Local Jurisdiction's discretion and will require surveys by a qualified biologist to determine the absence of nesting birds prior to the activity.
- All trees marked for removal within the Stream System must be shown on maps included with the Application. Native trees over five inches diameter at breast height (DBH) shall not be removed without the consent of the Local Jurisdiction.

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Dewatering/Diversion

- Except for site preparation for the installation and removal of dewatering structures, no excavation is allowed in flowing streams unless dredging WDRs are issued by the RWQCB. Detailed plans for dewatering must be part of the Application.
- Temporary crossings as described in the Application shall be installed no earlier than April 15 and shall be removed no later than October 15, unless otherwise permitted by Local Agencies and approved by the appropriate State and federal regulatory agency. This work window could be modified at the discretion of the Local Jurisdiction and the CDFW.

Equipment/Staging Areas

- No vehicles other than necessary earth-moving and construction equipment shall be allowed within the Stream System after the section of stream where work is performed is dewatered. The equipment and vehicles used in the Stream System shall be described in the Application.
- Staging areas for equipment, materials, fuels, lubricants, and solvents shall be located outside the stream channel and banks and away from all preserved aquatic resources. All stationary equipment operated within the Stream System must be positioned over drip-pans. Equipment entering the Stream System must be inspected daily for leaks that could introduce deleterious materials into aquatic resources. All discharges, unintentional or otherwise, shall be reported immediately to the Local Jurisdiction. The Local Jurisdiction shall then immediately notify the appropriate state and federal agencies.
- Cement, concrete, washings, asphalt, paint, coating materials, oil, other petroleum products, and other materials that could be hazardous to aquatic life shall be prevented from reaching streams, lakes, or other water bodies. These materials shall be placed a minimum of 50 feet away from aquatic environments. All discharges, unintentional or otherwise, shall be reported immediately to the Local Jurisdiction. The Local Jurisdiction shall then immediately notify the appropriate state and federal agencies.
- During construction, no litter or construction debris shall be dumped into water bodies or other aquatic resources; nor shall it be placed in a location where it might be moved by wind or water into aquatic resources. All construction debris shall be removed from the site upon completion of the project.
- Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions. A list of all pesticides that may be used in the project area shall be submitted to the Local Jurisdiction before use.

Wildlife

- The Local Jurisdiction shall be notified immediately if threatened or endangered species that are not Covered Species are discovered during construction activities. The Local Jurisdiction shall suspend work and notify the USFWS, NMFS, and the CDFW for guidance.
- Wildlife entering the construction site shall be allowed to leave the area unharmed or shall be flushed or herded humanely in a safe direction away from the site.

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- All pipe sections shall be capped or inspected for wildlife before being placed in a trench. Pipes within a trench shall be capped at the end of each day to prevent entry by wildlife, except for those pipes that are being used to divert stream flow.
- At the end of each workday, all open trenches will be provided with a ramp of dirt or wood to allow trapped animals to escape.

Cultural Resources

- If human remains or cultural artifacts are discovered during construction, the Applicant shall stop work in the area and notify the Local Jurisdiction immediately. Work will not continue in the area until a qualified coroner and archaeologist have evaluated the remains, conducted a survey, prepared an assessment, and required consultations are completed.

Lake or Streambed Alteration Agreement Conditions

- Additional conditions may be required by CDFW if the Covered Activity is subject to a LSAA.

Best Management Practices (BMPs) for the Western Placer County Aquatic Resource Program (CARP)

The purpose of this section is to define the Best Management Practices (BMPs) that will be required for all projects permitted through the CARP.

General Measures (good housekeeping practices)

A. Scheduling

All construction within the Stream System, in or near Aquatic Resources of Placer County (within 50 feet) should be scheduled around the weather to better manage erosion and sediment control. The following measures shall be taken to reduce the amount of soil exposed to erosion by weather:

- Land disturbance activities should be avoided or minimized between October 15 and May 1.
- Weather shall be checked prior to the start of work.
- Work in streams containing listed salmonid species shall be limited to the May 15 through October 15 work-window.
- Maintain sufficient erosion and sediment control materials onsite at all times, including during the dry season, to be able to effectively protect the site in advance of any storms.

B. Pre-Project Measures

It is important to clearly define the boundaries of the project with fencing and flagging. Implementation of the following measures will minimize disturbance of sensitive areas and habitats. These measures should be in place prior to the start of groundbreaking activities.

- Prior to construction, the project proponent shall be required to prepare an erosion and sediment control plan or Storm Water Pollution Prevention Plan (SWPPP) for projects

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that disturb one (1) acre or more of soil. New construction within the project footprint can alter watershed hydrology and introduce new pollution sources that may affect water quality in local streams. The erosion and sediment control plan or SWPPP shall describe site design planning approaches that will protect water quality by preventing and reducing the adverse impacts of stormwater pollutants and increases in peak runoff rate and volume. Such approaches include hydrologic source control measures that focus on the protection of natural resources and the reduction of impervious surfaces.

- All areas of vegetation to be preserved shall be clearly marked with flagging or fencing. Sensitive habitats to be avoided such as wetlands, elderberry shrubs, or heritage oak trees shall be fenced off to prevent construction equipment from damaging those habitats.
- Silt fencing or other sediment trapping methods shall be installed between areas where soil will be exposed and Aquatic Resources of Placer County to minimize the transport of sediment off the site.
- Temporary barriers shall be constructed to keep wildlife out of construction sites.
- All staging areas shall be clearly marked with flagging or fencing and located a minimum of 100 feet away from Aquatic Resources of Placer County when possible.
- During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
- The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive, and dust is impacting adjacent properties.
- In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction).
- The contractor shall suspend all grading operations when fugitive dust exceeds Placer County Air Pollution Control District (APCD) Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is California Air Resources Board (CARB)-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours.

C. Project Implementation

Once a project is underway, it is important to maintain the following conditions.

- All sites are required to utilize a combination of Best Management Practices (BMPs) such as fiber rolls, straw waddles, mulch, tarps, sandbags, etc. that effectively protect the site and prevent anything but clean rainwater from running off site.
- Equipment storage, fueling, and staging areas shall be sited on previously disturbed areas or on non-sensitive non-native grassland land cover types, when these sites are available, to minimize risk of direct discharge into riparian areas or other sensitive land cover types. When such sites are not available, staging shall occur on the road used to

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access the site. Standard BMPs, such as those developed in the West Placer Storm Water Quality Design Manual pertaining to staging must be utilized.

- As required for all projects, all species survey protocols shall be followed within the construction zone. The survey area shall be expanded beyond the project footprint whenever possible to help identify covered species and their habitats so that impacts on covered species that occur adjacent to the construction zone can be minimized.
- No erodible materials such as loose soil shall be deposited into watercourses. Brush, loose soils, or other debris material shall not be stockpiled within stream channels or within 100 feet of stream banks or any Aquatic Resources of Placer County that is being avoided.
- All sediment trapping methods, such as silt fence or straw wattles, shall be inspected and maintained on a daily basis.
- On-site monitoring shall be conducted by a qualified biologist throughout the construction period to ensure that disturbance limits, BMPs, and Plan restrictions are being implemented properly.
- Prior to approval of Grading or Improvement Plans, on project sites greater than one acre, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD.
- Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- All exposed soil shall be covered with biodegradable erosion control measures such as straw wattles and erosion control blankets. Such measures must be installed if rain is forecasted.
- Portions of the project that occur in streams (e.g., bridge or culvert construction) shall comply with the BMPs listed under the In-Stream Projects section bellow.

D. Post-project Practices

Following completion of project construction:

- All construction material, trash, and debris including fencing and flagging shall be removed from the project site and properly disposed of off-site.
- The applicant shall revegetate all disturbed areas.
- All temporarily disturbed areas, such as staging areas, shall be returned to pre-project conditions or improved with native plants within two years of project completion.
- Geotextiles, blankets, and mats shall be installed on any exposed slopes of 3:1 or greater as these slopes are highly susceptible to erosion. These slopes shall also be hydroseeded with a native seed mix to minimize soil erosion.
- Cut and fill slopes shall be revegetated with native plants if possible, or with non-invasive plants suitable for the altered soil conditions.
- Invasive plants within the project area and any construction staging areas shall be removed to prevent the spread of these species into nearby or adjacent reserves.

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- Vegetation and debris shall be managed in and near culverts and under and near bridges to ensure that entryways remain open and visible to wildlife and that the passage through the culvert or under the bridge remains clear.
- All structures constructed for wildlife movement (tunnels, culverts, underpasses, fences) shall be monitored by the PCA, and repairs made promptly to ensure that the structure is in proper condition. For facilities owned by entities not participating in the PCCP, the PCA will coordinate with these entities to ensure regular monitoring through access and data collection agreements reached with these entities.

In-Stream Projects

In-stream projects—such as flood protection projects, construction of new bridges, repair or rehabilitation of existing bridges, water supply capital projects, and other development may affect wildlife, aquatic species, and habitats by discharging sediment, disturbing earth and riparian vegetation, and altering hydrologic and hydraulic characteristics of water bodies.

Impacts to streams should be avoided wherever possible. See section 4.7.1 of the CARP for Stream System Avoidance guidelines. For projects where Stream System impacts are unavoidable, projects must be designed to minimize adverse impacts on stream morphology, aquatic and riparian habitat, and flow, and must adhere to the BMPs listed under IV.C. Stream System Impact Minimization.

A. Stream Protection

Projects occurring in the proximity of a flowing body of water such as a stream or creek require additional protection from erosion and sedimentation to protect the water quality of these features. Permits may be required from the Corps, CVRWQCB, California Department of Fish and Wildlife, and the National Marine Fisheries Service depending on the extent of impacts and the resources that are present in and adjacent to the waterway. The CVRWQCB may require water sampling before, during, and after project activities to ensure that the project is not negatively impacting water quality.

Temporary Stream Crossings

Temporary stream crossings such as culverts, fords, and bridges can help prevent and/or reduce stream bed erosion and sediment from entering the waterway. Spanning the waterway is the preferred temporary crossing as this allows construction equipment to cross without coming in contact with the bed or bank of the waterway. Culverts may be used for perennial or intermittent streams if spanning the waterway is cost prohibitive. Fords may be used only on intermittent or ephemeral drainages during the dry season when water has ceased to flow. The following measures must be employed for temporary stream crossings:

- For bridges or culverts, the structure design must be prepared under the direction and approval of a registered civil or structural engineer
- To prevent water backing up or washouts during rain events, any temporary structure shall not constrict the waterway flow.
- Crossings shall be constructed in the dry season (May 1 to October 15) or in the case of salmonid streams, May 15 to October 15.
- Adjacent construction roadways and work areas shall be stabilized.

- Removal of adjacent vegetation shall be minimized to the extent possible.
- Vehicles shall not be operated, stored, fueled or maintained in the wet or dry portions of the waterway without authorization of the County.
- Drip pans must be placed under vehicles/equipment on temporary stream crossing structures that remain idle from more than an hour. Being in such proximity to a water course, this measure and others implemented with it shall be installed correctly and maintained to prevent any polluting discharge.
- Any incident of discharge requires notifying the CVRWQCB of the noncompliance.
- Inspect temporary stream crossings weekly and after significant rain events for water flow blockage, sediment buildup, trapped debris, structural damage, riprap displacement or stream bed erosion. Verify sediment buildup is removed regularly.
- Temporary crossings must be removed once they are no longer needed and the waterway must be restored to its original condition.

Bank Stabilization

It is essential to stabilize the banks of streams and channels when working around these features to minimize turbidity and sediment input into the waterway. The potential for discharging sediment and other pollutants into waterways can be greatly reduced by stabilizing work areas in and around these features. The following measures must be adhered to when implementing bank stabilization projects:

- Existing vegetation shall be left intact to the extent possible. Vegetation helps stabilize banks and prevent erosion.
- If vegetation must be removed, disturbed areas shall be temporarily stabilized with hydraulic mulch, hydroseed, soil binders, straw mulch, or a combination thereof.
- If possible, construct a water diversion away from the work area and implement a barrier around the work area.
- BMP's and equipment shall be inspected daily. Repairs shall be completed in a timely manner. Leaky equipment shall be removed from the stream area immediately until it is repaired.

B. Stormwater Flow Diversion

Covered activities that require work within or adjacent to streams such as bridges, levee maintenance and repair, flood protection projects, stream maintenance, outfalls, flood-protection capital projects, and any emergency actions that occur near streams. Examples include:

- Recreational trails (see Section 6.3.6.1.2 of the HCP/NCCP, New Trail Design and Use Standards for Future Reserves).
- New installation or replacement of utilities that result in no new significant permanent disturbance to the riparian corridor during construction and operation and generate only incidental human activity with temporary loss of habitat.
- Construction and maintenance of access roads providing access to streams or levees for managing facilities and infrastructure.

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- Stream crossings essential for access to a parcel or facility (i.e., crossing the stream is the only available means to access the parcel).

C. Stream System Impact Minimization

Where Stream System avoidance is not feasible, all projects that are PCCP/CARP covered activities shall minimize impacts on the Stream System by implementing the following BMPs. All in-stream projects must be designed to minimize adverse impacts on stream morphology, aquatic and riparian habitat, and flow conditions.

D. Types of Projects Subject to In-stream BMPs

Covered activities that occur in-stream are subject to design requirements or construction practices guidelines because they are expected to result in impacts on creeks or streams. Examples include:

- Installation or rehabilitation of flood protection projects and levee reconstruction.
- Operations and maintenance of flood protection facilities (e.g., dams, armored creeks, detention ponds, streams). Activities may include construction of new facilities, vegetation management, minor sediment removal, or bank stabilization.
- Non-routine stream maintenance activities including extensive removal of vegetation in flood control channels.
- Bridge construction and replacement including vehicular, train, and pedestrian bridges throughout the PCCP coverage area.
- Development of trails in or through the in-stream area (streambed, banks, and adjacent riparian land-cover).
- Culvert installation or replacement.
- Restoration projects throughout the PCCP coverage area, including removal or modification of fish barriers and creek realignment.
- Facility maintenance such as trail, bridge, road, and culvert repair and/or replacement in in-stream areas (including riparian areas).
- Natural resource protection such as small bank stabilization projects, restoration to reduce erosion, fish passage enhancements, removal of barriers to fish passage, and removal of debris deposited during flooding.
- Operations and maintenance of water supply facilities (e.g., flashboard dams, inflatable dams, stream gages, and diversions).
- Removal of debris blockages except in emergency situations.
- Mitigation and/or monitoring in creeks or adjacent riparian corridors.
- Vegetation management for exotic species removal and native vegetation plantings.

E. Design Requirements

Some impacts on stream and riparian land-cover types are expected under the CARP. All covered activities shall implement the following measures to avoid or minimize impacts of covered activities on streams and valley foothill riparian land-cover.

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- Site characteristics shall be evaluated in advance of project design to determine if non-traditional designs, such as bioengineered bank treatments that incorporate live vegetation, can be successfully utilized while meeting the requirements of the project.
- Maintenance of natural stream characteristics, such as riffle-pool sequences, riparian canopy, sinuosity, floodplain connectivity, and a natural channel bed, shall be incorporated into the project design to the extent possible and practicable.
- If a culvert is used, up- and downstream ends of the culvert must be appropriately designed so that the stream cannot flow beneath the culvert or create a plunge pool at the downstream end.
- If structural changes to the channel bed are necessary as part of project design, provisions for fish passage shall be incorporated into the project design.
- All proposed creek crossings must be sited to avoid or minimize riparian removal.
- Trails shall be sited and designed with the smallest footprint necessary to cross through the in-stream area. Trail crossings shall be aligned perpendicular to the channel and be designed to avoid any potential for future erosion. Trails that follow stream courses shall be sited outside the riparian corridor to the maximum extent feasible.
- All projects shall be conducted in conformance with the County drainage policies.
- If the project requires removal of riparian vegetation, the amount of riparian vegetation removed shall be minimized while still meeting the project goals. The amount of riparian vegetation to be removed shall be included in the application package submitted to the County. The County shall determine if the requested riparian vegetation removal is necessary in order to implement the proposed project.
- Riparian restoration to offset project impacts shall be implemented on-site, if possible, to replace the functions of the riparian woodland degraded or lost to the covered activity. Riparian restoration implemented on-site shall be credited to CARP/PCCP mitigation requirements if the restoration helps to meet the biological goals and objectives of the CARP/PCCP.
- Projects that discharge dredged or fill material into waters of the United States must adhere to the requirements of the CARP.
- Projects must adhere to the National Marine Fisheries Service (NMFS) Guidelines for Salmonid Passage at Stream Crossings as described in the following section (National Marine Fisheries Service 2001).
- When implementing levee reconstruction covered activities, no baseline shaded riverine aquatic cover shall be removed if the shaded riverine aquatic cover was developed for or contributes to past mitigation projects or efforts.
- If levee reconstruction requires the removal of vegetation that provides habitat value to the adjacent stream (e.g., shading, bank stabilization, food sources, etc.), then the project shall include replacement of the vegetation/habitat that was removed during reconstruction unless it is determined to be inappropriate to do so by the relevant resource agencies (e.g., USACE, NMFS).
- All trees marked for removal from stream zones (riparian) must be shown on maps included with the application package. Non-riparian native trees greater than five

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inches in diameter at breast height shall not be removed without the consent of the County.

- Applicants for transportation improvements that include stream crossings must comply with Section V. Design and Construction Requirements for Covered Transportation Projects.

F. Guidelines for Salmonid Passage at Stream Crossings

All covered activities within the Stream System shall adhere to the NMFS Guidelines for Salmonid Passage at Stream Crossings unless otherwise noted. Key guidelines described in Guidelines for Salmonid Passage at Stream Crossings (NMFS 2001) are described below.

- For stream crossings, the following structure types (listed in descending order of preference) shall be considered.
    1. Free-span bridges that fully span the stream and allow for long-term dynamic channel stability.
    2. Streambed simulation approaches including bottomless arch, embedded culvert design, or ford that maintains the natural streambed. The structure should be sufficiently large and embedded deep enough into the channel to allow the natural movement of bedload and formation of a stable bed inside the culvert or structure.
    3. Non-embedded culvert (often referred to as a hydraulic design), for use in low-gradient areas, that allows fish passage.
    4. Baffled culvert (creases in the culvert create a series of short high-velocity runs and low-velocity backwater areas that allow the fish to swim in short bursts and then rest), for use in high-gradient areas, that allows fish passage.
- If the project's site is in an active salmonid spawning area, only free-span bridges or streambed simulations (i.e., culverts with a bed that simulates the natural streambed) are acceptable.
- All stream crossings, regardless of the design (i.e., bridge or culvert) or material used, shall be designed to accommodate the 100-year peak flood flow with appropriate clearance to prevent structural damage to the crossing. In practice, it is preferable that the crossing itself and its structural supports completely span the 100-year floodway. At a minimum, culverts must accommodate the 100-year flood without causing any adjacent flooding around the crossing that could result in mass erosion of the bank or the structural support of the crossing. This requirement will reduce the risk of channel degradation, stream diversion, and failure that may lead to adverse effects on salmonids over the lifespan of the crossing.
- For in-stream culvert installation or replacement projects that may affect stream hydraulics, the project must be designed so that the elevations of surface waters in the stream-reach exhibit gradual flow transitions, both upstream and downstream. Abrupt changes in water surface and velocities must be avoided, with no hydraulic jumps, turbulence, or drawdown at the entrance. A continuous low-flow channel must be maintained throughout the entire stream reach. Hydraulic controls may be necessary to provide resting pools, concentrate low flows, prevent erosion of stream bed or banks, and allow passage of bedload material.

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- If a free-span bridge is not feasible due to engineering or cost constraints, bridge piers and footings shall be designed to have minimum impact on the stream. This applies in all stream zones, not just active salmonid spawning areas. A hydraulic analysis must be prepared that shows piers or footings will not cause significant scour or channel erosion. Whenever possible, the span of bridges shall also allow for upland habitat beneath the bridge to provide undercrossing areas for wildlife species that will not enter the creek. Native plantings, natural debris, or large rocks (not riprap) shall be installed under bridges to provide wildlife cover and encourage the use of crossings.
- All in-stream structures shall be aligned with the stream, with no abrupt changes in flow direction upstream or downstream of the crossing. This requirement can often be accommodated by changes in road alignment or slight elongation of the culvert. Where elongation would be excessive, such a solution must be weighed against a better crossing alignment and/or modified transition sections upstream and downstream of the crossing. Project components that may result in disruption of stream hydraulics and alterations to the natural stream bed shall be anticipated and mitigated in the project design.
- Natural supplemental lighting shall be provided in new and replacement culverts that are more than 150 feet long. Where supplemental lighting is required, the spacing between light sources shall not exceed 75 feet.
- If structural changes to the channel bed are necessary as part of project design, provisions for fish passage shall be incorporated into the project design. If the project proponent has the opportunity to incorporate new fish passage into the project design in an area where fish passage is currently lacking, the project proponent shall work with the PCA to determine if new fish passage would support covered species recovery.

G. Construction BMPs

As described above, all in-stream projects shall adopt specific BMPs to minimize impacts on covered species, natural communities, and wildlife movement, as appropriate.

- All work in the Stream System, including wetlands and streams, shall be done according to the plans and documents included in the CARP application. All changes to those plans shall be reported to the County and the PCA prior to construction. Minor changes may require an amendment to the CARP-related conditions on the land conversion authorization. Substantial changes may render the land conversion authorization void and the permittee may need to submit a new application.
- All CARP-related land conversion authorization conditions shall be depicted on the construction plans. A copy of the conditions shall be given to individuals responsible for activities on the site. Site supervisors shall be familiar with all conditions and shall have a copy on-site at all times.
- The construction corridor in the Stream System shall be created in a way to avoid and minimize impacts to vegetation outside the corridor. All preserved wetlands, other waters, and stream zones shall be protected with bright construction fencing. Temporary fencing shall be removed upon completion of the project.
- Erosion control measures shall be specified as part of the Environmental Questionnaire/CARP application, and the application is not complete without them. All erosion control specified in the permit application shall be in place and functional 48

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hours prior to any rain event. Projects shall maintain sufficient erosion and sediment control materials onsite at all times, including during the dry season, to be able to effectively protect the site in advance of any storms. Erosion control features shall be inspected after each rain event. Site supervisors shall be constantly aware of weather forecasts, even during the summer dry season, and shall be prepared to establish erosion control on short notice for unusual rain events. Maintenance includes, but is not limited to, removal of accumulated silt and the replacement of damaged barriers and other features.

- All work between the top-of-bank or the outer edge of riparian vegetation, whichever is greater for perennial and intermittent streams, shall be restricted to periods of low flow and dry weather between May 1 and October 15 unless otherwise permitted by the Resource Agencies. Work may also be conducted two weeks immediately prior to or after work period defined above depending on current weather patterns and timing of salmonid runs, provided that the project proponent receives written permission from the Resource Agencies.
- All work in ephemeral or short-term intermittent streams that generally do not support fish shall be restricted to periods when the stream is not flowing, or by terms specified in the land conversion authorization, providing that erosion control measures are in place before wet weather. Weather forecasts should be monitored, and erosion control established before all storm events.
- Work between the top-of-bank or the outer edge of riparian vegetation, whichever is greater outside of the specified periods may be permitted under some circumstances. The project proponent must provide the County with the following information: a) the extent of work already completed; b) specific details about the work yet to be completed; and c) an estimate of the time needed to complete the work. The CDFW may be asked to confirm the modified dates.
- Work between the top-of-bank or the outer edge of riparian vegetation, whichever is greater shall not disturb active bird nests until young birds have fledged. To avoid impacts to nesting birds in stream zones, trees and shrubs shall be removed between August 15 and February 15. Tree removal at other times is at the County's discretion and shall require surveys by a qualified biologist to determine the absence of nesting birds.
- Except for site preparation for the construction of dewatering structures, no excavation is allowed in live streams. Detailed plans for dewatering must be part of the permit application.
- Temporary crossings as described in the land conversion authorization permit shall be installed no earlier than May 1 or May 15 if the stream is a salmonid stream and shall be removed no later than October 15. This work window could be modified at the discretion of the County and the CDFW.
- No vehicles other than necessary earth-moving and construction equipment shall be allowed within the between the top-of-bank or the outer edge of riparian vegetation, whichever is greater. The equipment and vehicles used in this area shall be described in the CARP application.
- Staging areas for equipment, materials, fuels, lubricants, and solvents shall be located outside the stream channel and banks and away from all preserved aquatic resources.

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All stationary equipment that must be within the area that lies between the top-of-bank or the outer edge of riparian vegetation, whichever is greater, must be positioned over drip-pans. Equipment entering this area must be inspected daily for leaks that could introduce deleterious materials into the stream waters. All discharges, unintentional or otherwise, shall be reported immediately to the County. The County shall review the incident and determine whether the matter warrants notifying the appropriate state and federal agencies.

- Cement, concrete, washings, asphalt, paint, coating materials, oil, other petroleum products, and other materials that could be hazardous to aquatic life shall be prevented from reaching streams, lakes, or other water bodies. These materials shall be placed away from aquatic environments and removed immediately if they are accidentally placed near an aquatic feature. All discharges into waters, unintentional or otherwise, shall be reported immediately to the County. The County, in consultation with the PCA shall then determine if the matter warrants notification of the appropriate state and federal agencies.
- During construction, no litter or construction debris shall be dumped into water bodies or other aquatic resources. Nor shall it be placed in a location where it might be moved by wind or water into aquatic resources. All construction debris shall be removed from the site on a regular basis and upon completion of the project.
- Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions. A list of all pesticides that may be used in the project area shall be submitted to the County before use.
- The County and PCA shall be notified immediately if threatened or endangered species not expected on the site are discovered during construction activities. If the grading activity is deemed to put at risk the safety of the species, the County shall suspend work and notify USFWS, NMFS and the CDFW for guidance.
- Wildlife entering the construction site shall be allowed to leave the area unharmed or shall be flushed or herded humanely in a safe direction away from the site.
- All pipe sections shall be capped or inspected for wildlife before being placed in a trench. Pipes within a trench shall be capped at the end of each day to prevent entry by wildlife.
- At the end of each workday all open trenches shall be provided with a ramp of dirt or wood to allow trapped animals to escape.

H. Post-construction In-stream Practices

Following construction, the project area shall be returned to pre-project conditions except in areas where permanent impacts (e.g., installation of a bridge) are part of the project design. Plants in re-vegetated areas shall be successfully established within two years of project completion. The following measures shall be applied to in-stream projects and will decrease the potential for subsequent erosion and/or spread of nonnative species at the project site.

- Following work in a stream channel, the low flow channel shall be returned to its natural state as nearly as possible. The shape and gradient of the streambed shall be as close as possible to the shape and gradient that existed before the work began.

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- Any graded slopes or disturbed soils shall be revegetated with plants native to local watersheds.
- Permanent water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Division. Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants
- If an area with suitable spawning habitat, including spawning gravels, is disturbed during project construction, habitat shall be restored to pre-project conditions to the extent possible given any changes to the stream bed that result from project implementation.
- All temporarily disturbed areas, such as staging areas, shall be returned to pre-project conditions. Plants in re-vegetated areas shall be successfully established within two years of project completion.
- Vegetation and debris must be managed in and near culverts and under and near bridges to ensure that entryways remain open and visible to wildlife and that passage through the culvert or bridge remains clear.

I. In-stream Operation and Maintenance Activities

Placer County Flood Control and Water Conservation District is responsible for in-stream operations and maintenance of flood control facilities in the PCCP coverage area. Private property owners may also conduct stream operation and maintenance activities for specific purposes related to flood control and stormwater facilities.

The BMPs identified below are required for in-stream operations and maintenance activities. These BMPs are designed to minimize impacts to riparian and riverine land-cover and covered species during implementation of covered stream operations and maintenance activities.

- Operations and maintenance activities shall comply with HCP/NCCP preconstruction survey requirements.
- Prior to undertaking stream maintenance activities, conditions shall be assessed to identify tasks that are necessary to maintain the channel for the purpose for which it was designed and/or intended (e.g., flood control, groundwater recharge). Only in-stream work that is necessary to maintain the channel shall be conducted.
- When stream reaches require extensive vegetation thinning or removal (e.g., when the channel has been fully blocked by willows or other vegetation), removal shall be phased to the extent possible so that a portion of the riparian land-cover remains. In addition, vegetation removal shall be targeted and focused on removing the least amount of riparian vegetation as possible while still meeting the desired flood control needs. For example, vegetation removal shall be focused on shrubby undergrowth at the toe-of-slope that is most likely to increase roughness and create a flooding hazard. Vegetation on the upper banks, particularly mature tree canopy, should be maintained to the extent

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possible to provide habitat for birds and small mammals and shading for the active channel.

- When reaches require sediment removal, approaches shall be considered that may reduce the impacts of the activity.
- In natural streams not managed for flood control purposes, woody material (including live leaning trees, dead trees, tree trunks, large limbs, and stumps) shall be retained unless it is a safety issue, or threatening a structure, impedes reasonable access, or is causing bank failure and sediment loading to the stream.
- If debris blockages threaten bank stability and/or may increase downstream sedimentation, debris shall be removed. When clearing natural debris blockages (e.g., branches, fallen trees, soil from landslides) from the channel, removal shall concentrate on the minimum amount of debris removal necessary to maintain flow conveyance (i.e., prevent significant backwatering or pooling). Non-natural debris (e.g., trash, shopping carts, etc.) shall be fully removed from the channel.
- If bank failure occurs due to debris blockages, bank repairs shall only use compacted soil, and shall be re-seeded with native grasses and stabilized with natural erosion control fabric. If compacted soil is not sufficient to stabilize the slope, bioengineering techniques must be used. No hardscape (e.g., concrete or any sort of bare riprap) or rock gabions may be utilized in natural streams. Rock riprap may only be used to stabilize channels experiencing extreme erosion, and boulders must be backfilled with soil and planted with willows or other native riparian species suitable for the project site. If available, local native species shall be utilized as appropriate.
- Invasive plant species removed during maintenance activities shall be handled and disposed of in such a manner as to prevent further spread of the invasive species. Equipment used in construction should be cleaned to remove invasive species' propagules prior to use.
- Any disturbed soils shall be re-vegetated with native plants; non-native, non-invasive species; or non-reproductive (i.e., sterile hybrids) plants suitable for the altered soil conditions.
- When possible, activities in the active channel shall be avoided.

Design and Construction Requirements for Covered Transportation Projects

This condition identifies design and construction requirements to minimize the impacts of public transportation projects on wildlife movement, covered species, and their habitat. This condition applies to all covered transportation projects within the PCCP coverage area. All covered transportation projects that affect the Stream System (i.e., cross streams or creeks, including bridges) are subject to the BMPs listed in Section G above.

A. Exempt Transportation Projects

The following projects are not subject to the design requirements or construction practices specified in this condition because they are not expected to result in new ground disturbance and are not expected to create new barriers to wildlife movement or augment existing barriers. Although they are not required to implement this condition, they shall still be subject to measures that are identified in the environmental impact analysis process.

- Installing traffic signals, signs, pavement markings, flashing beacons, or other safety warnings.
- Painting new lane striping.
- Installing "rumble" strips, channelizers, or other safety markers.
- Installing guardrails or similar structures that are permeable to wildlife.
- Installing ramp metering.
- Regrading existing shoulders (refer to Operations and Maintenance Activities Section below).
- Implementing other road safety improvements on less than 1,000 feet of roadway. Note that road safety improvements that cross creeks are subject to the BMPs in the In-stream Projects section above.

B. Types of Projects Subject to Condition

The following projects are subject to the design requirements or construction practices because they are expected to result in new ground disturbance, or they may create new barriers to wildlife movement, or augment existing barriers. Each project category is subject to a specific combination of requirements listed in Table C-1. The requirements are described below.

Highway Projects

Highway projects are those projects identified by the Placer County Transportation Planning Agency that call for the expansion of existing highways or the construction of new highway ramps within the PCCP coverage area. This includes freeways and highways.

Major Roadway Projects and Interchange Upgrades

All new road and interchange projects are considered major roadway projects. Road widening, realignment, extension, connection, or improvement projects that do not qualify as exempt or minor road safety improvements on County roads or road segments are also considered major road projects.

Minor Roadway Projects

Minor roadway projects are those County road projects subject to this condition (non-exempt projects) that are not listed above as major roadway projects, including the types of road safety improvements listed below.

- Widening roads to add lanes where the project exceeds 1,000 feet in length.
- Realigning roads for safety or operational purposes where the project exceeds 2,000 feet in length.
- Installing median barriers or other impermeable safety barriers longer than 2,000 feet.
- Repairing roads due to landslides and flood damage. Repair may require installation of retaining wall or drainage management features such as under-road culverts.

Minor Road Safety Improvements

Minor road safety improvements are expected to involve ground-disturbing activities but are not expected to impede or substantially worsen habitat linkages for wildlife. Therefore, the types of road safety improvements listed below shall be subject to construction and post-construction practices but not to project design requirements (Table C-1).

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- Installing a solid barrier on a bridge or on a road for up to 2,000 feet at grade in areas with no known wildlife corridor.
- Constructing new turn lanes equal to or greater than 2,000 feet.
- Constructing a new road shoulder equal to or greater than 2,000 feet in locations where no sensitive vegetation or potential habitat in roadside ditches is present.

C. Construction Practices

In some cases, such as in public parks, restoration projects or PCCP reserves, new gravel or dirt roads may be constructed. The following BMPs for transportation related construction apply to all categories of transportation projects listed in Table C-1.

BMPs for Gravel Road Projects

- The recommended section for gravel roads is 6 inches Class II aggregate base at 95-percent relative compaction.
- For construction of new gravel roads, disconnect and disperse runoff flow paths, including roadside ditches, which might otherwise deliver fine sediment to stream channels.
- When constructing gravel roads, install road surface and ditch drainage structures frequently enough so that gullies do not form at drainage points and so that the road and drainage system are generally dry.
- For construction of new gravel roads, prevent gullies by dispersing runoff from road surfaces, ditches and construction sites, by correctly designing, installing and maintaining drainage structures (e.g., road shape, rolling dips, out-sloped roads, culverts, etc.) and by keeping streams in their natural channels. No single point of discharge from a road or other disturbed area should carry sufficient flow to create gullies. If gullies continue to develop, additional drainage structures will be needed to further disperse the runoff.

BMPs for Roadside Drainage

- When constructing or reconstructing a ditch, utilize designs for outlet locations that avoid directly dumping ditch water into surface waters, when practical. If not practical, implement sediment management BMPs to trap sediment before it reaches a stream. Remove temporary BMPs and replace with permanent BMPs as soon as practical. BMPs described in General Condition 2 (See Section 6.3.1.2 of the HCP/NCCP, General Condition 2, Conservation Lands: Development Interface Design Requirements) and General Condition 4 (See Section 6.3.1.4 of the HCP/NCCP, General Condition 4, Temporary Effects) shall be applied as appropriate.
- When designing or redesigning roads, look for opportunities to restore natural drainage patterns. Install culverts or rolling dips to retain water in its drainage of origin, which will decrease the potential for erosion downstream. On problem roads, look for opportunities to reconstruct the road segment to improve and maintain natural drainage patterns; for example, add rolling dips, emergency water bars and additional cross drains.

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BMPs for Roadside Construction

- Equipment storage, fueling, and staging areas shall be sited on disturbed areas or on non-sensitive non-native grassland land-cover types, when these sites are available, to minimize risk of direct discharge into riparian areas or other sensitive land-cover types. When such sites are not available, staging shall occur on the road used to access the site. Construction BMPs, such as those developed in the California Stormwater Quality Association Stormwater Best Management Practice Handbooks pertaining to staging must be utilized.
- All species survey requirements of the HCP/NCCP shall be followed within the construction zone and the entire road right-of-way. Expanding the survey area beyond the project footprint will help identify covered species and their habitats so that impacts on covered species that occur adjacent to the construction zone can be minimized.
- No erodible materials shall be deposited into watercourses. Brush, loose soils, or other debris material shall not be stockpiled within stream channels or on adjacent banks.
- Silt fencing or other sediment trapping methods shall be installed below the grade of new road construction or road widening activities to minimize the transport of sediment off the site.
- Temporary barriers shall be constructed to keep wildlife out of construction sites, as appropriate.
- On-site monitoring shall be conducted by a qualified biologist throughout the construction period to ensure that disturbance limits, BMPs, and CARP/HCP/NCCP restrictions are being implemented properly.
- Active construction areas shall be watered regularly to minimize the impact of dust on adjacent vegetation and wildlife habitats, if warranted. operational watering trucks shall be on site during construction hours. In addition, dry, mechanical sweeping is prohibited. Watering of a construction site shall be carried out in compliance with all pertinent APCD rules (or as required by ordinance within each local jurisdiction).
- Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.

Portions of the project that occur in streams (e.g., bridge or culvert construction) shall comply with the BMPs in the In-stream Projects section above.

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Table 7.6-1. Conditions on Covered Transportation Projects

Design Requirements and Construction Practices	Highway Projects	Roadway Projects and Interchange Upgrades	Road Safety Improvements
Transportation Project Design Requirements			
Coordination between project applicant, PCA, and Wildlife Agencies to ensure project meets Plan requirements	M	M	-
Enhance existing undercrossings	M	M	-
Implement minimum sizing of culverts	M	M	-
Install grating over tunnels/culverts for penetration of light	P	P	-
Install fencing around undercrossings to maximize use of crossing	P	P	-
Road barrier and passage designs for wildlife (to direct wildlife to safe crossing)	P	P	-
Construction Practices			
Best Management Practices	M	M	M
Post-Construction Practices			
Control roadside vegetation adjacent to reserves	M	M	M
Revegetate cut/fill slopes with native vegetation	M	M	M
Vegetation management around undercrossings	M	M	M

Notes:
M = Mandatory
P = Possible (required unless data demonstrate action would not benefit wildlife and CDFW and USFWS agree to omit).

D. Post-construction Practices

Following construction, the areas beyond road shoulders and inside the right-of-way shall be returned to a natural state. These actions will likely be applied differently to each road project and will decrease the potential for the spread of nonnative species.

- Invasive plants within the project area and any construction staging areas shall be removed to prevent the spread of these species into nearby or adjacent reserves.
- Cut-and-fill slopes shall be re-vegetated with native plants if possible, or with non-invasive plants suitable for the altered soil conditions.
- All temporarily disturbed areas, such as staging areas, shall be returned to pre-project conditions or improved with native plants within two years of project completion.
- Vegetation and debris shall be managed in and near culverts and under and near bridges to ensure that entryways remain open and visible to wildlife and that the passage through the culvert or under the bridge remains clear.

- All temporary erosion control material such as silt fencing, straw wattles, and wood stakes shall be removed once soil is stable (typically during the dry season following the end of construction).
- All structures constructed for wildlife movement (tunnels, culverts, underpasses, fences) shall be monitored by the PCA, and repairs made promptly to ensure that the structure is in proper condition. For facilities owned by entities not participating in the PCCP, the PCA shall coordinate with these entities to ensure regular monitoring through access and data collection agreements reached with these entities.

Operations and Maintenance of Roadways and Utilities

This condition applies to operations and maintenance activities on roadways and utility lines and facilities on public and private lands within the PCCP coverage area. Such operation and maintenance activities include utility lines and facilities maintenance, public or private road maintenance, vegetation management, and mitigation monitoring. These have the potential to affect covered species by disturbing nesting covered bird species, discharging sediment into waterways, and transporting propagules of nonnative invasive species. The following BMPs would reduce the severity of such impacts.

- Projects occurring in streams or the Stream System shall comply with the BMPs listed in Section IV, In-stream Projects, as appropriate.
- Silt fencing or other sediment control devices shall be installed downslope from maintenance activities that disturb soil to minimize the transport of sediment off-site.
- In the course of rural road maintenance, no erodible materials shall be deposited into watercourses. Brush, loose soils, or other debris material shall not be stockpiled within stream channels or on adjacent banks where it could be washed into the channel.
- Consider alternatives such as mechanical control to substantially lessen any significant impact on the environment before using pesticides. Use integrated pest management BMPs for all vegetation control. Limitations may occur due to fire management requirements and local integrated pest management ordinances.
- Herbicides and pesticides shall be used only when necessary and shall be applied in strict compliance with label requirements and state and federal regulations. Herbicides and pesticides shall only be applied when weather conditions will minimize drift and impacts on non-target sites.
- Maintenance activities on rural roads adjacent to natural land-cover types shall be seasonally timed, when safety permits and regulatory restrictions allow, avoiding or minimizing adverse effects on active nests of resident and migratory birds, including covered bird species (see Table 1-1 in the PCCP). This measure is particularly relevant for right-of-way mowing, brush clearing, and tree trimming. Project proponents shall coordinate with the PCA to develop work schedules that optimize logistic, safety, and financial needs while minimizing potential impacts on nesting birds.
- Mowing equipment shall be thoroughly cleaned before use so they are free of noxious weeds (e.g., yellow star-thistle) and do not introduce such weeds to new areas.
- Maintenance or repair of road medians or shoulder barriers in areas that support natural and semi-natural land-cover types (e.g., annual grassland, oak savanna, oak woodland) shall not reduce the ability of wildlife of all types to move through or over

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them, within safety limits. Replacement or repair of road medians shall be designed or installed to allow wildlife to move past these structures. Exceptions may be made by the Permittee if significant safety concerns or financial constraints arise.

- All temporarily disturbed areas, such as staging areas, shall be returned to pre-project conditions or improved with native plants within two years of project completion.
- Ground-disturbing road maintenance activities, such as regrading, shall be timed so that the moisture content of the soil will support re-compaction of the soil and reduce the need for an imported water source to achieve soil compaction. Similarly, activities shall be timed so that use of heavy equipment will not result in the creation of mud puddles and ruts.
- Conduct regularly scheduled visual inspection of all roads to identify sites where erosion is contributing sediment to local streams and stabilize eroding areas.
- Conduct annual clearing of flow lines (e.g., culverts and ditches) such that flow lines are maintained free of debris.
- Utility pole or line replacement and maintenance should follow the suggested practices for the Avian Power Line Interaction Committee's publication "Suggested Practices for Avian Protection on Power Lines".

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Appendix A – ACCELA Guidance

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Appendix B – Best Management Practices

Placer County is subject to the mandates for stormwater discharges as part of the Small Municipal Separate Storm Sewer Systems (MS4), Phase II of the National Pollution Discharge Elimination System (NPDES) small municipal stormwater program.

This program, which is part of the Federal Clean Water Act, requires the County to regulate all projects that create and/or replace more than 2,500 square feet of impervious surface.

The West Placer Design Manual has been developed to provide standards for conformance to the permit requirements while achieving the objectives of the PCCP and providing hydro-modification management standards. The documents below are available for download below:

- West Placer Small Project Only Template (XLSX)
- West Placer Storm Water Quality Design Manual (PDF)
- West Template (XLSX)

For more information, visit Placer County's Low Impact Development web page.

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Appendix C – Vernal Pool Branchiopods Data Collection Requirements and Protocols

The Placer County Conservation Plan requires wet season surveys for vernal pool fairy shrimp (*Branchinecta lynchi*) and vernal pool tadpole shrimp (*Lepidurus packardi*) (collectively referred to as vernal pool branchiopods) during the Initial Survey Phase. The Initial Survey Phase will apply to Covered Activities with the potential to affect vernal pool constituent habitat, specifically the first 37 wetted acres proposed for effect. The PCA may be contacted to determine if a particular project is subject to the Initial Survey Phase. Surveys for Conservancy fairy shrimp (*Branchinecta conservatio*) are not required for the Initial Survey Phase, but because Conservancy fairy shrimp is a covered species and extremely rare in the Plan Area, Conservancy fairy shrimp found during the Initial Survey Phase will be reported to the PCA. This document provides instructions for preparing electronic data forms for vernal pool branchiopod surveys, collecting data in the field, and submitting data to the PCA. Following these instructions will ensure that data are collected and submitted in a consistent format, which will allow for easier management of a large amount of data. For questions about these protocols, please contact the PCA.

Vernal Pool Branchiopod Survey Requirements

The wetland delineation for the property to be surveyed **must be completed prior to** vernal pool branchiopod surveys and the corresponding shapefiles submitted to the County.

Surveys will only be conducted by a Qualified Biologist with a recovery permit from U.S. Fish and Wildlife Service (i.e., permitted biologist) for listed large branchiopods or a biologist working under the direct supervision of such biologist.

The permitted biologist will conduct surveys following U.S. Fish and Wildlife Service's 2015 Survey Guidelines, with the following exceptions or deviations.

- Wet season surveys for vernal pool branchiopods will be conducted in **vernal pools** that are identified by a wetland delineation. No other aquatic features need to be surveyed for vernal pool branchiopods.
- One year of wet-season surveys is required. Dry season surveys are not required.
- All vernal pools on the project site must be surveyed.
- Surveys cannot be suspended if only one of the listed large branchiopods is determined to be present in a vernal pool.
- If presence is confirmed for **both** vernal pool fairy shrimp and vernal pool tadpole shrimp in an individual vernal pool, surveys may be stopped for that vernal pool.
- Vernal pools must be surveyed on every visit even if it is only to document percent inundation, except for pools where presence has been confirmed for **both** vernal pool fairy shrimp and vernal pool tadpole shrimp.
- Voucher specimens will not be collected during wet season surveys unless the identity of the mature shrimp is uncertain and cannot be identified in the field.

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Equipment and Software Requirements

- Apple or Android tablet with GPS
- ArcGIS license and username (County can provide if needed)
- ESRI's ArcGIS Survey 123 application

Survey Preparation Instructions

The wetland delineation for the property to be surveyed **must be completed prior to** vernal pool branchiopod surveys and the corresponding shapefiles submitted to the County.

The County or PCA will upload the delineation data to be made available in ArcGIS online, which will be integrated into the data collection application.

1. Contact the County for the "official" project name associated with the delineation data. The project name will be associated with the PCCP project application submitted to the County.
2. Download ESRI's Survey123 app from Apple App Store or Android Market Place.
3. Open the app and login with your Survey 123 username and password if you do not have an ArcGIS username and password, contact the County for a guest username and password.
4. To view the Vernal Pool Form, click the ***Download Surveys*** tab. This will display the form.
5. Next, click the "cloud" icon on the right side of the ***Vernal Pool Form*** thumbnail. This will download the form and delineation data to the device.

Field Data Collection

1. Open the app. Make sure you are logged in with the Survey 123 username and password before you are out of cell or Wi-Fi reception.
2. Open the form by clicking on the ***Vernal Pool Form*** thumbnail.
3. Once the form is open, click on the ***Inbox*** tab at the bottom of the screen. This will bring you to a screen that says ***Inbox is Empty***. Click the ***Refresh*** icon located in the bottom right of the screen to download the list of vernal pools to survey.
4. Next, use the ***List*** or ***Map*** icon to filter the vernal pools by project name. To filter the list of vernal pools, type the name of the project to be surveyed and then click the ***Refresh*** tab. Alternatively, you can filter by location by clicking on the ***Map*** icon and zooming to your specific survey area. Tap the ***Refresh*** icon and only the vernal pools within that area will be available in the survey form.
5. To open a survey form, click a vernal pool ID found under the ***List*** tab or a vernal pool feature within the ***Map*** tab to open the survey form for that specific vernal pool.
6. Fill the form out. The instructions for the fields are as follows.
    a. Vernal Pool ID (automatically populated) – This is the unique identification number assigned during the delineation.

b. Project Name (automatically populated) – The name of the project with vernal pools to be surveyed.

c. Vernal Pool Surface Area (automatically populated) – This input is automatically calculated from the wetland delineation.

d. Date (automatically populated)

e. Surveyor (required) – Enter the first and last name of person conducting the survey.

f. Percent Inundation (required) – Estimate and enter the percentage of the pool that is inundated with water.

g. Covered Species Present (required) – Select yes or no. If "yes" is selected, select the Covered Species Present (multiple select option) from the following:

   i. Branchinecta lynchi

   ii. Lepidurus packardi

   iii. Branchinecta conservatio

   iv. Immature (unknown species)

h. Covered Species Abundance, if Present (required) – For each cover species present, select the estimated number that is present. The choices are 1-10, 11-100, 100s, 1000s. One value is required for each covered species found.

i. Other Species Present (required) – Select from species below if present. If none, select none.

   i. Linderiella occidentalis

   ii. Spea hammondii

   iii. Pseudacris sierra

   iv. None

j. Notes (optional) – General input for recording various other vernal pool or species information.

7. Once data have been collected for a vernal pool, review the form to make sure data entries are correct. Once confirmed, click the ***Check Mark*** in the form and then click ***Send Now.*** If you do not have cell or Wi-Fi connectivity, select ***Save to Outbox***. This will save the data for the vernal pool that was just surveyed. Once data have been submitted for a vernal pool, the pool outline will disappear from the list & map views.

8. Move to next vernal pool.

9. If you did not have cell or Wi-Fi coverage in the field, when you have cell or Wi-Fi connectivity, go to ***Outbox*** and click ***Send*** to submit the data.

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Post-Data Collection

1. The PCA will review submitted data. If issues or data inconsistencies are found, the PCA will contact the permitted biologist to rectify issues.
2. The PCA and County will revoke the guest username (if provided by the County) or remove the user from the ArcGIS group.
3. The PCA will provide the vernal pool branchiopod data to the permitted biologist in an Excel file for permitted biologist's records and to QA/QC. The permitted biologist will contact the County to correct any errors found during the QA/QC process.

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Appendix D – Aquatic Resources Delineation Guidance

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Appendix E – Master Conditions on Covered Activities Checklist

Master Conditions on Covered Activities Checklist (Third Party Application) Below is a list of the HCP/NCCP Conditions of Approval which will or may apply to private projects. All private development projects are required to comply with General Condition 1 -5. The remaining conditions referenced below may apply to a project depending upon the type of project and its location and land cover type. User's Guide Chapter 7 provides specific details including timing for implementation for each condition. During review of this Application for Private Projects, the reviewing planning or building office staff will ensure the applicant has included and addressed all applicable conditions required. Indicate the conditions that apply to the project and **provide documentation** to describe how it complies with each.	Check all that apply
General Conditions (refer to User's Guide Chapter 7.2 and PCCP Chapter 6.3)	
General Condition 1, Watershed Hydrology and Water Quality (PCCP Section 6.3.1.1) General Condition 1 applies to project applicants if the project disturbs 1 or more acres of soil or whose project disturbs less than 1 acre, but the project is part of a larger common plan of development that in total disturbs 1 or more acres, then the applicant must obtain coverage under the State Water Board *General Permit for Discharges of Storm Water Associated with Construction Activity* (Construction General Permit Order 2009-0009-DWQ).	
General Condition 2, Conservation Lands: Development Interface Design Requirements (PCCP Section 6.3.1.2) General Condition 2 applies when new infrastructure projects, and urban and rural development occur in or adjacent to Plan reserves, mitigation and conservation banks, and any other property protected by an in-perpetuity conservation mechanism for natural lands management. The applicant will incorporate design requirements to minimize the indirect effects of development on these types of conservation lands in the permit area.	
General Condition 3, Land Conversion (PCCP Section 6.3.1.3) General Condition 3 applies to project applicants whose projects result in permanent natural land cover conversion and therefore must pay land conversion fees or contribute to the Reserve System This condition also includes criteria for permanent effect avoidance in the PFG and for low density rural development.	
General Condition 4, Temporary Effects (PCCP Section 6.3.1.4) General Condition 4 applies when the project results in temporary effects on natural land cover and the applicant wishes to apply temporary effect fees (lower than the fees applied under General Condition 3). The applicant must describe how an area qualifies for the temporary effect fee.	
General Condition 5, Conduct Worker Training (PCCP Section 6.3.1.5) General Condition 5 applies to projects for which any avoidance and minimization measures must be conducted during construction.	
Conditions to Avoid and Minimize Effects on Specific Natural Communities (PCCP Section 6.3.2)	
Community Condition 1, Wetland Avoidance and Minimization (Vernal Pool and Aquatic/Wetland Complex) (PCCP Section 6.3.2.1)	

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Community Condition 1.1 Avoidance of Vernal Pool Complex Constituent Habitat Community Condition 1.1 requires projects to first evaluate whether avoidance of effects on vernal pool complex constituent habitat (also termed vernal pool wetlands) is advisable and feasible, as described below, and then mitigate for unavoidable effects to vernal pool wetlands, generally through payment of fees. Vernal pool wetlands include vernal pools, seasonal wetland in vernal pool complex, and seasonal swales (referred to in the HCP/NCCP as vernal pool constituent habitats). Applicant must identify AMMs specific to the project.	
Community Condition 1.2 Avoidance of Aquatic/Wetland Complex Habitat Community Condition 1.2 requires projects to first evaluate whether avoidance of effects on aquatic/wetland complex constituent habitat (also termed non-vernal pool wetlands) is advisable and feasible, as described below, and then mitigate for unavoidable effects to non-vernal pool wetlands, generally through payment of fees. Non-vernal pool wetlands include fresh emergent marsh, lacustrine, and non-vernal pool seasonal wetlands. This category includes flowing springs and long-duration seeps (associated with groundwater seepage) not located inside the Stream System. Applicant must identify AMMs specific to the project.	
Community Condition 1.3 Aquatic/Wetland Complex Impact Minimization Measures Community Condition 1.3, requires projects with temporary effects on non-vernal pool wetlands or their buffers to implement Community Condition 1.3. If the project results in impacts on non-vernal pool wetlands or their buffers and the applicant cannot comply with Community Condition 1.3, then the impacts will be treated as permanent and addressed under Community Conditions 1.1 or 1.2. Applicant must identify Wetland Impact Minimization Criteria to qualify for temporary effects.	
Community Condition 1.4 Salvage of Vernal Pool Constituent Habitat Community Condition 1.4 applies to projects that impact vernal pool constituent habitat. The applicant will coordinate with the PCA to grant adequate and timely access for potential salvage of wetland soil and biota as deemed appropriate.	
Community Condition 2, Riverine and Riparian Avoidance and Minimization (PCCP Section 6.3.2.2)	
Community Condition 2.1 Riverine and Riparian Avoidance and Minimization Community Condition 2.1, focusing specifically on riverine and riparian constituent habitat components and the 50 foot buffer off the edge of riparian vegetation associated with the Riverine/Riparian Complex community, is supplemental to Stream System Condition 1, Stream System Avoidance and Minimization.	
Community Condition 2.2 Minimize Riverine and Riparian Effects Condition 2.2 requires projects that cannot avoid riverine/riparian effects to minimize these effects. Projects with unavoidable impacts to riverine/riparian habitat will be required to adhere to minimization measures described in PCCP Table 6-1. *In-stream and Stream System BMPs*. Applicant must identify BMPs/AMMs specific to the project.	
Community Condition 3, Valley Oak Woodland Avoidance, Minimization, and Mitigation (PCCP Section 6.3.2.3)	
Community Condition 3.1 Valley Oak Woodland Avoidance and Minimization Projects avoiding impacts to > 1 acre of valley oak woodland may consider that valley oak stand avoided and therefore the area may not be subject to land conversion fees. Community Condition 3.1 establishes the circumstances under which valley oak woodlands can be considered avoided under the PCCP.	
Conditions to Avoid, Minimize, and Mitigate Effects on the Stream System (PCCP Chapter Section 6.3.3)	
Stream System Condition 1, Stream System Avoidance and Minimization	

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Stream System Condition 1 describes how applicants can avoid or minimize Stream System impacts to reduce fees.	
Stream System Condition 2, Stream System Mitigation: Restoration Stream System Condition 2 applies to all projects with unavoidable effects on the Stream System.	
Conditions to Minimize Effects on Covered Species (PCCP Section 6.3.5)	
Species Condition 1, Swainson's Hawk (PCCP Section 6.3.5.6) SWHA 1 Surveys: Conduct planning-level surveys within modeled habitat in the Valley of the project site and within 1,325 feet of project site well in advance of project implementation. If the project cannot be designed to avoid active SWHA nest trees and the construction must occur during the nesting season (approximately February 1 to September 15), a preconstruction survey must be conducted no more than 15 days prior to ground disturbance.	
SWHA 2 Applicable Measure: During the nesting season, ground-disturging activities within 1,320 feet of occupied nests or nests under construction will be prohibited. See PCCP Section 6.3.5.6.2 for further details on minimizing disturbance and buffer waivers.	
SWHA 3 Applicable Measure: Active (within the last 5 years) SWHA nest trees on a project site will not be removed during the nesting season.	
SWHA 4 Construction Monitoring: If an active nest is present within the project site or 1,320 feet of the project site, construction monitoring will be conducted by a qualified biologist and will focus on ensuring that activities do no occur within the buffer zone and that effects on SWHA are minimized.	
Species Condition 2, California Black Rail (PCCP Section 6.3.5.7) CA Black Rail 1 Surveys: If a project/Covered Activity is within 500 feet of the perimeter of a fresh emergent wetland greater than 0.2 acre in size, a minimum of 4 surveys initiated between March 15 and May 31 and completed by June/early July must be conducted the year in which ground disturbance activities commence.	
CA Black Rail 2 Applicable Measure: If the wetlands are occupied by CA black rail and the PCA does not grant take coverage, a buffer around the avoided wetland will be decarcated 500 feet from the ouside permieter of the occupied wetland and an exclusion fence installed.	
CA Black Rail 3 Applicable Measure: If the PCA grants take coverage, clearing the habitat (or dewatering) will occur between September 15 and February 1 (outside the breeding season). If the project will not convert all of the wetland habitat, a buffer around the avoided wetland will be demarcated with exclusion fencing as a no-work area.	
CA Black Rail 4 Construction Monitoring: If a wetland is occupied by CA black rail, construction monitoring will be conducted by a qualified biologist to ensure that no Covered Activities occur within the buffer zone established around the occupied wetland, or if take allowance is granted outside of the breeding season, to ensure that adverse effects are minimized.	
Species Condition 3, Western Burrowing Owl (PCCP Section 6.3.5.8) BUOW 1 Surveys: Conduct preconstruction surveys within modeled habitat in the Valley, or as determined by a qualifed biologist, of the project site and within a 250-foot accessible radius of project site. Two surveys must be conducted within 15 days prior to ground disturbance to establish the presence or absence of burrowing owls.	
BUOW 2 Applicable Measure: If BUOW or evidence of presence is found during the breeding season (approximatley February 1 – August 31), the applicant will avoid all nests that could be dsiturbed and	

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establish a 250-foot non-disturbance buffer zone around nests. The buffer zone will be flagged or otherwise clearly marked.	
BUOW 3 Applicable Measure: If BUOW or evidence of presence is found during the non-breeding season (approximatley September 1 – January 31), the applicant will establish a 160-foot non-disturbance buffer zone around active burrows. The buffer zone will be flagged or otherwise clearly marked.	
BUOW 4 Applicable Measure: During the non-breeding season only, if a project cannot avoid occupied burrows after all alternative avoidance and minimization measures are exhausted, as confirmed by the Wildlife Agencies, a qualified biologist may passively exclude birds from those burrows. A burrowing owl exclusion plan must be developed by a qualified biologist consistent with the most recent guidelines from the Wildlife Agencies and submitted to and approved by the PCA and Wildlife Agencies.	
BUOW 5 Construction Monitoring: If a BUOW nest or active burrow is present within the project site, construction monitoring will be conducted by a qualified biologist and will focus on ensuring that activities do no occur within the buffer zone and that effects on BUOW are minimized.	
Species Condition 4, Tricolored Blackbird (PCCP Section 6.3.5.9) Tricolored Blackbird 1 Surveys: Preconstruction planning-level surveys for nest colony sites must be conducted by a qualified biologist if the PCA-provided map indicates an active colony site occurs on the project site or within 1,300 feet of a colony site as well as those project sites located below 300 feet in elevation within modeled habitat. Surveys should be conducted at least twice with at least month betweeen surveys during the nesting season 1 year prior to initial ground disturbance if feasible, and the year of ground disturbing for the Covered Activity (required). If Covered Activities will occur in the project work area during the nesting season, three surveys shall be conducted within 15 days prior to the Covered Activity, with one of the surveys occurring within 5 days prior to the start of the Covered Activity.	
Tricolored Blackbird 2 Surveys: If an active colony site is within 3 miles of the project site, a qualified biologist will conduct two surveys of foraging habitat within the project site and within a 1,300-foot radius around the project site to determine whether foraging habitat is being actively used by foraging tricolored blackbirds. The surveys will be conducted approximately one week apart, with the second survey occurring no more than 5 calendar days prior to ground-disturbing activities.	
Tricolored Blackbird 3 Applicable Measures: If a tricolored blackbird nesting colony is found, avoidance and minimization measures shall be applied as outlined in PCCP Section 6.3.5.9.2. These AMMs include prohibiting work during the nesting season (March 15 – July 31, or until chicks have fledged or the colony abandoned on its own) and establishing buffers.	
Tricolored Blackbird 4 Applicable Measures: If construction activity or other Covered Activities disturb foraging tricolored blackbirds, as determined by a qualified biologist, avoidance and minimization measures shall be applied as outlined in PCCP Section 6.3.5.9.2. These AMMs include prohibiting work during the nesting season (March 15 – July 31, or until chicks have fledged or the colony abandoned on its own) and establishing buffers.	
Tricolored Blackbird 5 Construction Monitoring: If a tricolored blackbird nesting colony is present within the project site, construction monitoring will be conducted by a qualified biologist and will focus on ensuring that activities do no occur within the buffer zone and that effects on tricolored blackbird nesting are minimized.	
Tricolored Blackbird 6 Construction Monitoring: If actively used foraging habitat is present within the project site, construction monitoring will be conducted by a qualified biologist and will focus on ensuring that activities do no occur within the buffer zone and that effects on tricolored blackbird foraging are minimized.	

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Species Condition 5, Giant Garter Snake (PCCP Section 6.3.5.10) If certain communities are present on or adjacent to a project site and within the geographic range of GGS habitat in the Plan Area (see PCCP Appendix D, Species Accounts), a qualified biologist will conduct a survey to assess whether the communities provide suitable habitat for GGS.	
GGS 1 Applicable Measures: To avoid effects on GGS aquatic habitat, the project applicant will conduct no in-water/in-channel activity and will maintain a permanent 200-foot non-disturbance buffer from the outer edge of suitable habitat. If the project cannot avoid effects of construction activities, the project applicant will implement AMMs outlined in PCCP Section 6.3.5.10.2.	
Species Condition 6, California Red-legged Frog, Foothill Yellow-legged Frog, and Western Pond Turtle (PCCP Section 6.3.5.11)	
Species Condition 7, Central Valley Steelhead and Central Valley Fall-/Late Fall-Run Chinook Salmon (Salmonids) (PCCP Section 6.3.5.12) Identify which Guidelines for Salmonid Passage at Stream Crossings apply for the project.	
Salmonid 1: Fish Passage Design	
Salmonid 2: Fish Passage During Construction	
Salmonid 3: Pre-construction Relocation Per the NMFS Biological Opinion, projects requireing fish relocation must provide a summary narrative detailing fish relocation and survey activities, including the number and species of fish captured and the number and species injured or killed. Any injuries or mortality from a fish relocation site that exceeds 3 percent of the affected Covered Species shall have an explanation describing why. Any injuries or mortality from a fish survey that exceeds 5 percent of the affected Covered Species shall have an explanation describing why.	
Salmonid 4: Spawning Gravel Cleaning	
Salmonid 5: Use of Riprap When Necessary	
Species Condition 8, Valley Elderberry Longhorn Beetle (PCCP Section 6.3.5.13) Planning surveys for VELB are required for Covered Activities within modeled habitat. The project applicant will apply avoidance and minimization measures as specified in the USFWS's Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999) or current Wildlife Agency-approved avoidance and minimization procedure. When take is authorized, the project applicant must coordinate with the PCA to provide transplants and seedlings/cuttings for planting in suitable habitat on the Reserve System.	
Species Condition 9, Conservancy Fairy Shrimp (PCCP Section 6.3.5.14) Conservancy Fairy Shrimp 1: Surveys for Conservancy fairy shrimp are required if vernal pools and seasonal wetlands occur on the project site and if the project site falls within the survey boundary depicted in PCCP Figure 5-7. This area is limited, Conservancy Fairy Shrimp 2 – 5 apply if species occurrences are identified during the survey. Please see PCCP Secitons 6.3.5.14.2 – 6.3.5.14.3.	
Species Condition 10, Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp (PCCP Section 6.3.5.15) Surveys are required in vernal pools that will be lost to Covered Activities to determine the occupancy rate of vernal pool fairy shrimp and vernal pool tadpole shrimp in these wetlands. The Occupancy Rate Standards will be determined after at least 37 wetted acres of vernal pools have been surveyed, known as the Initial Survey Phase.	

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Vernal Pool Fairy Shrimp and Tadpole Shrimp 1: Wet season surveys will be conducted for vernal pool fairy shrimp and vernal pool tadpole shrimp in vernal pools, as determined by wetland delineation during the Initial Survey Phase. The PCA can advise applicants if the Intitial Survey Phase applies to their project.	
Master Conditions on Covered Activities Checklist (Aquatic Resources of Placer County; County Aquatic Resources Program [CARP] Section 7.5) This checklist section is a list of the CARP Conditions of Approval which apply to all Covered Activities that have the potential to ***impact Aquatic Resources of Placer County***. This section is in addition to Conditions list above. During review of this Application for all Projects, the PCA staff will ensure the project has included and addressed all applicable conditions required. Indicate the conditions that apply to the project and **provide documentation** to describe how it complies with each.	Check all that apply
CARP Condition 1a: All work within the Plan Area that impacts Aquatic Resources of Placer County shall be completed according to the plans and documents included in the PCCP/CARP application, Standard USACE 404 permit if applicable, Water Quality Certification, or, if applicable, WDR. All changes to those plans shall be reported to the Local Jurisdiction. Minor changes may require an amendment to the CARP Authorization, Water Quality Certification, or, if applicable, WDR. Substantial changes may render the CARP authorization, USACE permit, Water Quality Certification, if applicable, WDR, void, and a new application may be required.	
CARP Condition 1b: All deviations from plans and documents provided with the Application and approved by the Local Jurisdiction must be reported to the Local Jurisdiction immediately.	
CARP Condition 2: Any construction within the Stream System shall be implemented in a way to avoid and minimize impacts to vegetation outside the construction area. All preserved wetlands, other Aquatic Resources of Placer County, and the Stream Zone shall be protected with bright construction fencing. Temporary fencing shall be removed immediately upon completion of the project.	
CARP Condition 3: Erosion control measures shall be specified as part of the CARP application, and the application is not complete without them. All erosion control specified in the permit application shall be in place and functional before the beginning of the rainy season and shall remain in place until the end of the season. Site supervisors shall be aware of weather forecasts year-round and shall be prepared to establish erosion control on short notice for unusual rain events. Erosion control features shall be inspected and maintained after each rainfall period. Maintenance includes, but is not limited to, removal of accumulated silt and the replacement of damaged barriers and other features.	
CARP Condition 4: All required setbacks shall be implemented according to the HCP/NCCP Condition 4 (HCP/NCCP Section 6.1.2).	
CARP Condition 5: All work in aquatic resources within the Stream System shall be restricted to periods of low flow and dry weather between April 15 and October 15, unless otherwise permitted by Local Jurisdictions and approved by the appropriate State and federal regulatory agency. Work within aquatic resources in the Stream System outside of the specified periods may be permitted under some circumstances. The Applicant must provide the Local Jurisdiction with the following information: a) the extent of work already completed; b) specific details about the work yet to be completed; and c) an estimate of the time needed to complete the work in the Stream System.	
CARP Condition 6: Weather forecasts should be monitored, and erosion control established before all storm events.	
CARP Condition 7: Following work in a stream channel, the low flow channel shall be returned to its natural state to the extent possible. The shape and gradient of the streambed shall be restored to the same gradient that existed before the work to the extent possible.	

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CARP Condition 8: Except for site preparation for the installation and removal of dewatering structures, no excavation is allowed in flowing streams unless dredging WDRs are issued by the RWQCB. Detailed plans for dewatering must be part of the Application.	
CARP Condition 9: Temporary crossings as described in the Application shall be installed no earlier than April 15 and shall be removed no later than October 15, unless otherwise permitted by Local Agencies and approved by the appropriate State and federal regulatory agency. This work window could be modified at the discretion of the Local Jurisdiction and the CDFW.	
CARP Condition 10: No vehicles other than necessary earth-moving and construction equipment shall be allowed within the Stream System after the section of stream where work is performed is dewatered. The equipment and vehicles used in the Stream System shall be described in the Application.	
CARP Condition 11: Staging areas for equipment, materials, fuels, lubricants, and solvents shall be located outside the stream channel and banks and away from all preserved aquatic resources. All stationary equipment operated within the Stream System must be positioned over drip-pans. Equipment entering the Stream System must be inspected daily for leaks that could introduce deleterious materials into aquatic resources. All discharges, unintentional or otherwise, shall be reported immediately to the Local Jurisdiction. The Local Jurisdiction shall then immediately notify the appropriate state and federal agencies.	
CARP Condition 12: Cement, concrete, washings, asphalt, paint, coating materials, oil, other petroleum products, and other materials that could be hazardous to aquatic life shall be prevented from reaching streams, lakes, or other water bodies. These materials shall be placed a minimum of 50 feet away from aquatic environments. All discharges, unintentional or otherwise, shall be reported immediately to the Local Jurisdiction. The Local Jurisdiction shall then immediately notify the appropriate state and federal agencies	
CARP Condition 13: During construction, no litter or construction debris shall be dumped into water bodies or other aquatic resources; nor shall it be placed in a location where it might be moved by wind or water into aquatic resources. All construction debris shall be removed from the site upon completion of the project.	
CARP Condition 14: Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions. A list of all pesticides that may be used in the project area shall be submitted to the Local Jurisdiction before use.	
CARP Condition 15: Before beginning construction, the project Applicant must have a valid CARP authorization or waiver notice. In order to obtain a permit, the Applicant must pay all mitigation fees or purchase appropriate credits from an agency-approved mitigation bank.	
CARP Condition 16: A copy of the CARP conditions and Water Quality Certification and WDRs shall be given to individuals responsible for activities on the site. Site personnel, (employees, contractors, and subcontractors) shall be adequately informed and trained to implement all permit, Water Quality Certification, and WDR conditions and shall have a copy of all permits available onsite at all times for review by site personnel and agencies.	
CARP Condition 17: Work shall not disturb active bird nests until young birds have fledged. To avoid impacts to nesting birds, any disturbance shall occur between September 1 and February 1 prior to the nesting season. Tree removal, earthmoving or other disturbance at other times is at the Local Jurisdiction's discretion and will require surveys by a qualified biologist to determine the absence of nesting birds prior to the activity.	
CARP Condition 18: All trees marked for removal within the Stream System must be shown on maps included with the Application. Native trees over five inches diameter at breast height (DBH) shall not be removed without the consent of the Local Jurisdiction.	

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CARP Condition 19: The Local Jurisdiction shall be notified immediately if threatened or endangered species that are not Covered Species are discovered during construction activities. The Local Jurisdiction shall suspend work and notify the USFWS, NMFS, and the CDFW for guidance.	
CARP Condition 20: Wildlife entering the construction site shall be allowed to leave the area unharmed or shall be flushed or herded humanely in a safe direction away from the site.	
CARP Condition 21: All pipe sections shall be capped or inspected for wildlife before being placed in a trench. Pipes within a trench shall be capped at the end of each day to prevent entry by wildlife, except for those pipes that are being used to divert stream flow.	
CARP Condition 22: At the end of each workday, all open trenches will be provided with a ramp of dirt or wood to allow trapped animals to escape.	
CARP Condition 23: If human remains or cultural artifacts are discovered during construction, the Applicant shall stop work and notify the Local Jurisdiction immediately. Work will not continue in the area until a qualified coroner and archaeologist have evaluated the remains, conducted a survey, prepared an assessment, and required consultations are completed.	
Lake and Streambed Alternation Agreement Conditions Additional conditions may be required by CDFW if the Covered Activity is subject to a LSAA.	
Best Management Practices (BMPs) for the Western Placer County Aquatic Resource Program (CARP)	
Master Conditions on Covered Activities Checklist (Public Project Application) This checklist section is a list of the HCP/NCCP Conditions of Approval which will or may apply to public projects. This section is in addition to Conditions list above. During review of this Application for Public Projects, the PCA staff will ensure the project has included and addressed all applicable conditions required. Indicate the conditions that apply to the project and **provide documentation** to describe how it complies with each.	Check all that apply
Regional Public Programs (PCCP Section 6.3.4.)	
Regional Public Projects Condition 1, Transportation and Other Infrastructure Projects Design Requirements (PCCP Section 6.3.4.1.1) Applies to public projects in the RAA for design requirements and/or construction practices because they are expected to result in new ground disturbance, or they may create new barriers to wildlife movement or augment existing barriers.	
Regional Public Projects Condition 2, Transportation and Other Infrastructure Projects Construction BMPs (PCCP Section 6.3.4.2) Implement construction BMPs for applicable transportation or other infrastructure projects located in the rural portion of the Plan Area where appropriate and feasible to reduce the effects of construction on natural communities and native species.	
Regional Public Projects Condition 3, Operation and Maintenance BMPs (PCCP Section 6.3.4.3) O&M BMPs for applicable transportation or other infrastructure projects in the rural portion of the Plan Area will be implemented where appropriate and feasible to reduce the effects of construction on natural communities and native species.	

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